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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

1ST DAY

(27th September 1937)

NON-OFFICIAL RESOLUTIONS

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



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JAMMU AND KASHMIR PRAJA SABHA.

Monday, the 27th September 1937.
12th Assuj 1994.

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the Chair.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Gentlemen of the Praja Sabha, I welcome you once more to your deliberations.

The Secretary of the Praja Sabha will call the new members to take their oath.

NOTE.—The Secretary called the following gentlemen one by one and they were sworn in.

1. Sir Abdus Samad Khan Kt., C. I. E., the Hon'ble Home Minister.
2. Major General Nawab Khusru Jung, C. I. E., the Hon'ble Minister-in-Waiting.
3. Rai Sahib Pandit Ram Chand Kak, Chief Secretary to the Government.
4. Khan Bahadur Raja Mohammed Afzal Khan, Governor Kashmir.
5. Rai Bahadur Pandit Amar Nath Purbi, Retired Inspector General of Customs and Excise.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Hon'ble Praja Sabha Sads, His Highness the Maharaja Bahadur has sent a message for you. Please all of you stand up to hear it.

I request the Hon'ble Prime Minister to read the message.

NOTE.—The Hon'ble Prime Minister (Dewan Bahadur N. Gopalaswami Ayyangar, C. S. I., C. I. E.) read out the following message from His Highness the Maharaja Bahadur.

"MR. PRESIDENT AND MEMRERS OF THE PRAJA SABHA.

During my recent absence in Europe I was distressed to hear of the regrettable happenings in Srinagar City and Jammu Province which were responsible for avoidable suffering to certain individuals and considerable tension of feeling between the communities. An alleged insult to the

Founder of a great religion and a supposed danger to Hindu Dharma were the excuses for the agitation. Even after the insult and danger were proved to be imaginary, designing persons repeated them and exploited them for the purpose of working up large numbers of ignorant men and women and immature youths to a pitch of unhealthy excitement in which they proceeded to defy the law and commit breaches of the peace; and even those who had originally been responsible for starting this excitement found themselves unable to control this new development and some of them could not help, however unwillingly, being stampeded into it themselves. The prompt and effective action taken by my Government brought the situation under control and prevented its developing into inter communal rioting with all the risks to peace and harmony which it involves.

Though it is unncessary to do so, let me assure all my beloved subjects that, in the Jammu and Kashmir State, there is not, there can never be, the slightest risk or danger to the peaceful profession or practice of any faith.

So far as Srinagar is concerned, the agitation was confined to one section of Muslims. It is a matter for satisfaction that the Hindus of the city kept themselves will in hand and did nothing to provoke a communal clash and that one considerable Muslim party had not merely the good sense to keep aloof from the agitation but had the courage publicly to dissociate itself from it. I yield to none in my veneration and regard for the Holy Prophet of Islam or for the holy personages of other religions and any wanton insult offered to their memory will be resented as much by me as by their professed followers. It is my conviction that, if I felt or acted otherwise, I should be untrue to the religion and culture in which I have been born and to which I am deeply devoted.

I am glad that the Muslims of Jammu conducted themselves during the recent agitation with commendable restraint and communal clashes were thus avoided. The Hindu-Sikh agitation was ostensibly for championing the maintenance of the law in the State regarding cow-slaughter. But some of the methods pursued by those who participated in it were, apart from their being illegal and unlawful, entirely at variance with Hindu and Sikh culture.

As regards the law regarding cow-slaughter; I have read carefully the judgment of the High Court to which objection has been taken. The High Court has not either directly or indirectly changed the plain meaning of Section 298 (A) R. P. C. It has not said that any particular intent is necessary for

constituting the offence or that a person should be acquitted if he killed a cow at night. In fact, the High Court is not competent to alter the law. As members of the Praja Sabha, you know that no law of the kind can, in the normal course, be changed unless it is passed by the Sabha and assented to by me. My Government have made a public announcement that they have no intention of moving for an amendment of Section 298 (A). So far as I am concerned, in a message to my beloved people over six years ago, I declared:—

"I particularly wish to refer in this connection to a malicious rumour now being spread that cow-killing is shortly going to be permitted. This malicious rumour has no foundation whatever. And it has given me great pleasure to receive from Muslim subjects spontaneous condemnation of such an insinuation or any other insinuation likely to injure the religious susceptibilities of any other community. There is no question whatever of making any change in the matter."

To that declaration I adhere.

The observations made by the Judges of the High Court as regards the sentence had reference obviously only to the facts of the case they were at the time dealing with and do not amount to a ruling binding either on the High Court itself in another case or on subordinate courts. The essential object, however, of punishing an offender is not to wreak vengeance on him but to reform his conduct in order to ensure that, when free again, he will not repeat the offence and that his punishment will prevent others from committing it.

I trust that what I have said on this point will remove such misapprehension as may still lurk in the minds of some of my subjects.

The situation in Srinagar and Jammu has been quiet for some time. The rule of law and enforcement of respect for decisions of courts of law having been vindicated, my Government have been taking steps to help the mis-guided people who participated in the agitation to forget what they had let themselves in for and to resume their normal life. I feel that I should help in this process and accordingly direct that, in respect of persons connected with the recent agitation in Srinagar city and Jammu Province:—

(*a*) the unexpired portions of the sentences together with the fines, if any, on convicted persons be remitted and the offenders released;

(*b*) that any bonds taken for keeping the peace or being

of good behaviour be cancelled; and

(*c*) that all prosecutions still pending in courts be withdrawn.

It has been represented to my Government that substantial inconvenience and hardship will be involved in holding the elections for the Sabha during winter. The elections could be held in March, but this would interfere with the holding of the Jammu session towards the end of that month. The leaders of practically all the groups of elected members in the House have expressed a desire that the elections should be postponed. It is intended to hold them in May-June next, and I have accordingly commanded that the term of the present Sabha should be extended and should end on the expiry of 30 days from the close of the next Jammu session.

Members of the Praja Sabha, you have now completed three years of your existence. I have been watching your debates with interest. They have had a great deal of influence on the running of the administration by my Government. You have important business before you during the coming session. I wish all success to your deliberations, and I have no doubt that you will bring to bear on the discussions that are awaiting you the sense of responsibility that you owe to the State as representatives of the people.

(Sd.) HARISINGH,

MAHARAJA".

MR PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Gentlemen, will you kindly stand up again, as the Urdu translation of His Highness' message will be read out by the Hon'ble Home Minister, as some of the members of the Sabha do not know English.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister): Gentlemen, the Hon'ble Prime Minister has read out to you in this House the message from His Highness the Maharaja Bahadur, which was originally in English. Since some of you do not understand English, need has been felt for its Urdu translation. Its Urdu translation will be ready very soon, and circulation will be given to it; yet, for the information of those who do not understand English, I shall read out here the Urdu interpretation of it.

NOTE.—The Hon'ble Home Minister read out the Urdu translation of His Highness' Message.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Before work may be taken in hand all of you must be remembering that tomorrow is the birthday of our His Highness the Maharaja Bahadur. It is hoped that you will stand up with us to offer congratulations.

VOICE: Certainly, certainly.

MIAN AHMED YAR: My submission is that congratulations for His Highness' safe return from England may be conveyed along with it.

PANDIT AMAR NATH KAK: I will request the Hon'ble President to convey our message of congratulations to our Maharaja Bahadur, as was done at the last session.

PANDIT RAM CHANDRA DOBEY: I second this proposal.

PANDIT JIA LAL KILAM: I support Mian Sahib and Pandit Sahib.

MAJOR GENERAL JANAK SINGH: I further support this proposal

SARDAR KANHAYA SINGH: I support it on behalf of the Sikhs.

QUESTIONS AND ANSWERS.

1. MR. JAGAT RAM ARYAN: (*a*) Will the Hon'ble Home Minister please state as to whether it is a fact that the Ranbir Library, Jammu has stopped subscribing for "The Amrit Bazar Patrika"?

(*b*) If the reply be in the affirmative, the reasons therefor may be stated?

(*c*) Is it also a fact that "The Eastern Times" is being subscribed for instead of the aforesaid newspaper?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister): (*a*) Yes, orders have since been issued for the renewal of subscription to the "Amrit Bazar Patrika".

(*b*) The question does not arise.

(*c*) The question does not arise.

2. MR. JAGAT RAM ARYAN: (*a*) How many cases were challaned in the State under the Prevention of Cruelty to Animals Regulation during the last two years and how many of these were successful?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): During the last 2 years 258 cases were challaned under the Prevention of Cruelty to Animals Regulation, out of which conviction was recorded in 191.

3. MR. JAGAT RAM ARYAN: Will Government please state:—(*a*) Whether any white list of the newspapers is maintained in the State?

(*b*) If the reply to the above be in the affirmative, will Government please state as to what facts are taken into consideration in the preparation of such lists ?

(*c*) Will Government please place on the table a list of such newspapers as are at present included in the white list ?

(*d*) Is it not a fact that even those newspapers in which objectionable articles which fan communal hatred are published, are also entered in the white list ?

(*e*) Is it not a fact that even those newspapers are entered in the white list which appear after a long time in the form of one leaf only and that too when they get some advertisements from the Government ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Yes, so far ; but the question of the maintenance of white and black lists is under consideration and until a decision is arrived at in the matter, it is not possible to give the information asked for in the remaining parts of the question.

SARDAR KANHAYA SINGH : I shall submit that there is a weekly, "Sher-i-Bubar", run by the Sikhs at Muzaffarabad. Will it be stated whether the same has not been brought on the white list, and whether Government will bring it now ?

VOICE : Must.

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary) : This matter is under consideration.

4. MR. JAGAT RAM ARYAN : (*a*) Is it a fact that one of the rules for entering a newspaper in the white list is that in the case of a weekly paper it must be published once in a week ?

(*b*) If the answer be in the affirmative, will the Government please state whether there are 52 or 36 weeks in a year ?

(*c*) If there are 52 weeks in a year, how can a newspaper which is not regularly published, be entered as a weekly paper ?

Are Government prepared to effect a change in its orders ? If not, why not ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) The attention of the member is drawn to Rule 11 of the Rules under the Jammu and Kashmir State Press and Publications Regulation according to which a newspaper which appears thrice a month is allowed to call itself a weekly paper.

(*b*) Does not arise.

(*c*) Does not arise.

5. MR. JAGAT RAM ARYAN: (*a*) Are Government aware that the Postal Department allows concession in postage to the newspapers and for getting this concession the newspaper is required to send to the Postal Department the names of 50 customers together with a certificate of the District Magistrate to the effect that the declaration of the said newspaper has been accepted?

(*b*) Is it a fact that the Kashmir Government has imposed a restriction on the registration of the newspapers and the applications of the newspapers are sent to the Postal Department after a long period? If the reply be in the affirmative, the reasons for it may be stated?

(*c*) If this restriction has been imposed to keep the newspaper under control, were it not advisible for the Government to take action under the Press and Publications Regulation?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) Yes.

(*b*) Newspapers which continue to appear regularly for over six months are recommended for postal registration.

(*c*) Does not arise.

MR. JAGAT RAM ARYAN: Does the same restriction exist in the Punjab as well?

RAI SAHIB PANDIT RAM CHAND KAK: It is not necessary that we should follow Punjab in every respect.

VOICE: Hear, hear.

6. SUBEDAR KHAN MOHAMMED KHAN: In reply to Q. D. No. 280, Serial No. 110 of the last session which related to the construction of motor road from Kotli to Palandari (Tehsil Sidhnoti), it was stated by the Hon'ble Home Minister that report has been called for and when it is received the construction work will be started. If the reply be in the affirmative, it may be stated as to whether the construction of this road which can, by spending an ordinary sum, join Palandari with Kotli and can be of immense use to the country, will be immediately taken in hand? If not, why not?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The matter is under consideration.

SUBEDAR KHAN MOHAMMED KHAN: When will this matter be brought under consideration?

VOICE: So long decision is not made. (Laughter)

7. SUBEDAR KHAN MOHAMMED KHAN: In reply to Q. D. No. 281, Serial No. 166, asked in the last session

which related to the construction of a bridge at Sarool, Tehsil Kotli, it was stated by the Hon'ble Home Minister that the estimate was being prepared and when ready, the work would be started. If the reply be in the affirmative, will it be stated as to when the work of constructing the bridge will be started?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister): An estimate amounting to Rs. 21,500 has since been prepared and sanctioned for the work. The work will be taken in hand, as soon as funds are available.

8. SUBEDAR KHAN MOHAMMED KHAN: In reply to Q. D. No. 283, Serial No. 216 of the last session which related to the private schools at village Kathli, Pana, Atakora, and Saos, it was stated by the Hon'ble Home Minister that the report has been called for and the reply will be given when it will be received. If the reply be in the affirmative, it may be stated as to whether these schools will be included in the list of Government schools since it is an Illaqa where 60 villages are provided with only 5 Government primary schools?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The Assistant Inspector of Schools reports that he knows nothing about the private schools named. There is already a primary school at Tarala and Saharmandi. If there are private primary schools at Kathli, Pana, Atakora and Saos, the manager of these schools should apply for grant-in-aid to the Assistant Inspector of Schools, Rajouri.

9. SUBEDAR KHAN MOHAMMED KHAN: In reply to Q. D. No. 285, Serial No. 217 and Q. D. No. 286, Serial No. 218 of the last session, which related to the private primary schools, the Wazir Poonch on behalf of the Hon'ble Revenue Minister stated that the Poonch authorities had no knowledge of the existence of such private schools. But now the Wazir has become aware of these schools. If the reply be in the affirmative, it may be stated as to whether the Poonch authorities would win the hearts of the public by including such private schools in the list of the Government schools? If not, the reasons therefor may be stated?

WAZIR FEROZ Chand (Wazir Poonch): On enquiry the number of primary schools opened by private bodies in different villages of the Illaqa has been found to be 43. When the Illaqa funds permit of starting new primary schools, the case of these private schools will be given due consideration. Meanwhile instructions have been issued by the Illaqa Aministration that all such schools

should be regularly inspected by the Inspector of Village Schools.

10. SUBEDAR KHAN MOHAMMED KHAN: In reply to Q. D. No. 288, Serial No. 227 of the last session which related to washing away of the bridge on Nullah Tilani, the Wazir Poonch stated that the question of constructing a new bridge was under the consideration of the Government, and that action will be taken on receiving the report of the Tehsildar. If the reply be in the affirmative, when will the work be started, in view of the fact that on account of the washing away of the bridge, the public has to face great inconvenience.

WAZIR FEROZ CHAND: A sum of Rs. 200 has been sanctioned for the construction of the bridge on Nullah Tilani, and the Chief Revenue Officer has been directed to complete the work as early as possible.

11. Withdrawn.

12. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Will Government please state whether during the Great War the recruiting officers recruited soldiers?

(*b*) If the answer to this be in the affirmative, will it please be stated whether in appreciation of their services orders were issued for the grant of lands from the Kathua Rakhs with due regard to the posts held by them?

(*c*) (*i*) If the answer to part (*a*) be in the affirmative, will it please be stated why land has not so for been granted to the said officers?

(*ii*) Does the Government know that in appreciation of such services the British Government granted huge awards and Marabas?

(*d*) (*i*) Will Government place on the table of the House a list of the names of recruiting officers?

(*ii*) Will Government encourage such officers? If not, why?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This question is postponed for the time, because the matter requires consideration.

13. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Does the Government know that in case of the unfitness, dismissal, resignation or death of the Lambardar the Zaildar of the circle under orders of the Tehsildar can realize the revenue of the village concerned and deposit it in the Treasury?

(*b*) Does the Government know that Panjotra which is due to the Lambardar is not given to the Zaildar?

(*c*) Will it please be stated if these duties are not over and above those of the Zaildar.

(*d*) If the answer to part (*c*) be in the affirmative, then will Government order for grant of Panjotra to the Zaildar instead of its being deposited in the Treasury? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes, the Zaildars are required under rules to help in all the branches of Revenue Administration.

(*b*) Yes.

(*c*) No.

(*d*) Does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide Q. 505, Q. D. No. 383, dated 28th October 1936, Srinagar Session and Q. 449, Q. D. No. 433, dated 19th March 1936, Jammu Session*) (*a*) Will the Hon'ble Revenue Minister consider the questions referred to?

(*b*) If the rights of those zamindars who have raclaimed land be justified then will Hon'ble Revenue Minister issue orders for the Dakhil Kharaj of Nautor area after Samvat 1982?

(*c*) If the answer be in the negative, then will Hon'ble Revenue Minister issue orders for the refund of revenue which has been charged at the rate in force in Samvat 1982 from those who reclaimad land after 1982?

(*d*) Does the Hon'ble Revenue Minister know that this dual practice has made the zamindars restless? Why has the Ailan 17 pertaining to the Khalsa areas adjacent to the Deh not been followed so far?

(*e*) Does the Hon'ble Revenue Minister know that if the Ailan 17 had been followed before the land was reclaimed then the question of Nautor would never have cropped up after 1982.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The reply to Q. D. No. 433 may be referred to in this connection. The questions referred to were disposed of finally and no further consideration is called for now.

(*b*) According to Rule 9 of Ailan No. 17 of 27th Bhadon 1984, all cultivated Khalsa lands broken up from waste, which would have been included in areas detailed in Rules (4) and (7) are recorded in the name of the possessor subject to certainconditions prescribed therein. Nautors made otherwise were unjustified.

(*c*) No such case has been reported.

(*d*) In view of (*b*) above, the question does not arise.

(*e*) As the Rules to regulate Nautors of Shamilat granted

in 1982 were promulgated in 1984, the areas nautored after 1982 were considered as Shamilat upto cent. per cent. of the basic cultivated area. The surplus areas could be available only under the Waste Land Rules.

Q. D. No. 433.—(*a*) Does the Hon'ble Revenue Minister know that in reply to Q. D. No. 394 he recognized the right of zamindars on the areas outside the forests?

(*b*) Will he please state why the Government are leasing out or auctioning such areas?

(*c*) Does the Hon'ble Revenue Minister know that the zamindars of villages have not got sufficient area for cultivation and grazing purposes?

(*d*) Will the Hon'ble Revenue Minister please state (*i*) what is the objection in granting proportional share of these areas to each zamindar of the village for cultivation and for grazing purposes, subject to the payment of land-revenue in accordance with the village revenue rates (Parta-i-Deh)? (*ii*) Have not the zamindars a preferential right to these areas? (*iii*) Will it not affect prejudicially the increasing population of villages to thus keep back these areas which are available for the extension of villages?

(*e*) If the answer to the above be in the affirmative, will Government please immediately issue orders stopping the present practice?

If the answer be in the negative, reason may please be stated?

Reply.—(*a*) No. What the reply indicated was that vacant Khalsa lands adjoining villages but lying outside demarcated Forest areas had been included within the boundaries of the villages concerned.

(*b*) The Government can dispose of Khalsa waste lands under rules on the subject.

(*c*) Grazing facilities generally exist in the State and Shamilats upto cent. per cent. of basic cultivated area have been granted for extension of cultivation. So the reply to this question is in the negative.

(*d*) (*i*) In face of replies under (*a*), (*b*) and (*c*) this question does not arise.

(*ii*) No.

(*iii*) The reply above is clear. If, however, any particular zamindar wishes to have more area from Khalsa wastes not included in Shamilat, he can get it under rules. So far as their normal requirements are concerned, these have already been provided for by the Government.

(*e*) Does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN: It was in 1982

that decision was made for the distribution of 'Nautor' areas; Ailan No. 17 was issued in 1984. In the light of this Proclamation, people were eligible for 'Nautor areas', but this was not put in practice. This is not proper, because in that case the question of Nautor 1982 could not arise at all.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): As to 'Nautor' of 1982 it is a different question.

MAJOR MIRZA ATTA MOHAMMED KHAN: Uptil now Ailan No 17 has not been given a practical shape, and the same answer was repeated by Mr. Mehta, the *Ex*-Revenue Minister; that only such Khalsa areas be brought under cultivation that have not been cultivated.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt): Those 'Nautor areas' that have already been operated upon, why should they be brought within the purview of Ailan No. 17.

MIAN AHMED YAR: Ailan No. 17 was issued under the orders of His Highness the Maharaja Bahadur, but who was responsible for issuing notification Nos 4 and 7?

THE HON'BLE MR. K. N. KNOX (Revenue Minister): Please repeat in English.

NOTE.—Mian Ahmed Yar repeated his supplementary question in English.

MIAN AHMED YAR: The supplementry question is:—Can the Hon'ble Minister tell, under whose authority and under what orders notification Nos. 4 and No. 7 were issued?

THE HON'BLE MR. K. N. KNOX: Under the commands of His Highness the Maharaja Bahadur.

15. MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide question No. 830, Q. D. No. 697 dated 20th Assuj 1993 Srinagar Session*) (*a*) Does the Hon'ble Home Minister know that there is very great need for the teaching and training of Vaids and Hakims of the Illaqas of Tehsil Rajouri?

(*b*) Will Hon'ble the Home Minister open a Unani Vedic institution for Vaids and Hakims in Tehsil Rajouri?

(*c*) Does the Hon'ble Home Minister know that thereby the poor people of the villages can avail of the desired medical aid close at hand.

(*d*) Does the Hon'ble Home Minister know that the Government will not have to pay such Hakims and Vaids and that the expenditure of opening dispensaries will be saved and the public too will be able to get capable Hakims and Vaids in these two villages?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) State does not propose to open any schools of training

either for Western Medicine or for any other form of Medicine. Grant-in-aid is at present allowed to Vaids and Hakims.

(*b*) See above.

(*c*) Dispensaries exist in the Illaqa.

(*d*) Does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN: There are no dispensaries. (Laughter)

You say dispensaries exist in Rajouri, District Reasi. Can you tell where they are?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: You can find out.

MAJOR MIRZA ATTA MOHAMMED KHAN: The name of place may also be mentioned.

KHAWAJA GHULAM MOHAMMED SADIQ: This is no answer.

16. SARDAR KANHAYA SINGH: (*a*) Is it a fact that the religious places of the sister communities, which were in the possession of the Government since long were restored to them on the recommendations of the Glancy Commission. Besides sufficient land and other concessions have been granted in order to help them in education.

(*b*) Will the Government please state as to how many Gurdwaras and the property of the Sikh community have been restored to them legally and on principle according to the official records, documents and Pattas?

(*c*) If the answer to (*b*) above be in the affirmative, the details may be stated and if it be in the negative then the law and principle be referred to according to which the Government has taken possession of their religious places and property?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) Yes. Religious places that were in the possession of the Government have been restored to the communities concerned.

(*b*) No Sikh Gurdwara or any property belonging or pertaining to the Sikh community was found on enquiry to be in the possession of the Government.

(*c*) The member is referred to the communique which was published in the Government Gazette of 13th Baisakh 1992.

SARDAR KANHAYA SINGH: Can the result of the inquiry be placed on the table of the House?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You can find it in the Gazette of 6th Baisakh 1992.

SARDAR KANHAYA SINGH: Will it be read out from the Gazette, so that the House may also know it.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The Gazette may be studied.

SARDAR KANHAYA SINGH: Sir, the Gazette is a State property?

RAI SAHIB PANDIT RAM CHAND KAK: The Gazette is supplied to every member.

17. SARDAR KANHAYA SINGH: In Tehsil Baramulla the "Chandosah Kuhl" has been irrigating a number of villages at a certain time. It was stated by the Hon'ble Home Minister in the first Srinagar Session of the Praja Sabha that attention will be paid to the repair of this canal when the financial condition of the State improves. As it has improved now, will the Hon'ble Home Minister please issue orders to the Irrigation Department in consultation with the respectable zamindars of the Illaqa for re-surveying and making an estimate for the repair of this "Kuhl" so that the exact estimate of the expenses may be made. As there is a great discrepancy in the previous estimate of the expenses, will the Government please issue orders in this behalf.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: A few years ago the preliminary survey for remodelling the Kuhl was got done and a rough estimate for the construction of this Kuhl also prepared on the basis of the same, but it was found that the scheme was not a sound proposition owing to the cost being very prohibitive.

SARDAR KANHAYA SINGH: If expenditure were very low, will then work be started?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Certainly.

18. SARDAR KANHAYA SINGH: (*a*) Under what rule and principle the Sikh community has been deprived of all those concessions granted to other communities in view of Glancy Commission Report?

(*b*) Are Government prepared to compensate the Sikh community for this clear injustice?

(*c*) If the answer be in the affirmative, then will the Hon'ble Prime Minister please send for and personally examine those papers compiled by the late Governor and the present Governor of Kashmir so that the Sikh community may get justice in this connection?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The Sikh community has not been deprived of any concession to which they are entitled under the law.

(*b*) Does not arise.

(*c*) Unless the member clearly states what papers he is referring to it is not possible for Government to take any action in the matter.

19. SARDAR KANHAYA SINGH: (*a*) Will the Government please throw light on the fact whether the country is benifited in general by Joint Electorates ?

(*b*) If Joint Electorates are much better, then will the Government adopt the principle of Joint Electorates in the coming Praja Sabha and Municipal elections ?

(*c*) If the answar be in the negative, the reasons thereof may please be stated ?

(*d*) It may also be made clear whether the Government are prepared to adopt the principle of adult sufferage ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The attention of the member is drawn to page 9 of the Report of the Kashmir Constitutional Reforms Conference in which the Commission has discussed this question. No experience of Joint Electorates for the Legislature is available in the State.

(*b*) and (*c*) These questions do not arise.

(*d*) Not now.

SARDAR KANHAYA SINGH: Will this experiment be made very soon ?

RAI SAHIB PANDIT RAM CHAND KAK: Not for the time being.

MR. MOHAMMED AFZAL BEG: Is this the opinion of the Government ? Have Government accepted this report ?

RAI SAHIB PANDIT RAM CHAND KAK: The report has been accepted by the Government.

SARDAR KANHAYA SINGH: The Government state that compensation has been awarded. What I want to know is, what for this compensation is ? Is it a compensation for the land attached to the Gurdwara belonging to the Royal Sikh family ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The compensation has not been awarded for the land but for the material.

SARDAR KANHAYA SINGH: Sir, what they say is that land was obtained and compensation awarded.

RAI SAHIB PANDIT RAM CHAND KAK: It is not written in the reply. But compensation has been awarded for debris from

walls, etc. As for land they were told that land would be given to them, but they did not follow the case afterwards. This was 36 years back, and now the case is time-barred.

SARDAR KANHAYA SINGH: I shall read out the question for which I want a reply.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Which part of your question has not been answered?

SARDAR HARI SINGH: Are now Government prepared to give land for the Gurdwara?

DEWAN BAHADUR N. GOPALASWAMI AYYANGAR: Is it a new question?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): We require notice for this question.

SARDAR KANHAYA SINGH: Will some consideration be given to the papers that have been filed?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The answer is always given after going through the papers.

SARDAR KANHAYA SINGH: Will our shelved papers be reconsidered, just as it is done with the papers of other communities?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing the Hon'ble Prime Minister) Will you look into the papers once again?

DEWAN BAHADUR N. GOPALASWAMI AYYANGAR: I undertake to do so.

20. SARDAR KANHAYA SINGH: (*a*) Is it a fact that in 1912 the magnificent building of Gurdwara Mattan was demolished through the Divisional Engineer, Kashmir Division and the Government gave promise to the Sikhs for the erection of a new building instead, the ruins whereof are still lying at Mattan?

(*b*) Similarly Gurdwara Narsingh Garh in Shergarhi-Srinagar was forcibly demolished by the Government and the sight was included, within the premises of the Palace Gardens and the material thereof was utilized by the State. At Basant Bagh there are stones bearing the inscriptions "Sikh Gurdwara" and similarly there is a Samadh of Baba Nodh Singh at the place where is Guest House No. 2 in Munshi Bagh, Srinagar, and the ruins of which are still found, met a similar fate and the Government have kept them in possession?

(*c*) Are Government prepared to restore such religious places to the Sikhs?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister: (*a*) Information about the inci-

dent referred to is not available at the moment. Enquiries are being made from the Departments concerned.

(*b*) and (*c*) An area of 8 Dastas and 17 feet belonging to a Sikh Dharmsala at Narsingh Garh (Shergarhi) was acquired in 1901 for the extension of Palaces and it was ordered that land be given in exchange for the plot acquired. As the Sikhs did not pursue the case it was ultimately filed in default. Compensation for the material belonging to the Dharmsala was paid. Government has no knowledge of the existence of the inscribed stones at Basant Bagh. As regards the Samadh of Bawa Nodh Singh opportunity was given to the Sikh community to substantiate their claims, before the Governor of Kashmir but they failed to do so. If they are dissatisfied with the Governor's decision, they can approach the Hon'ble Prime Minister for final executive order or file a suit in a Civil Court in the ordinary course.

21. WAZIR MOHAMMED KHAN OF ASTORE: Are Government prepared to make such special reduction in the land-revenue of the Illaqas of Astore and Bunji which the people deserve? If the answer to the above be in the negative, are the Government prepared to help the famine-stricken of this Illaqa by distributing grains amongst them every year because the subjects do deserve Government aid?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The Rules already provide concessions for people stricken by natural calamities. Revenue Parta for Bunji and Astore is already comparatively low and no case has been made out which would justify any further reduction in the land-revenue. In case of famine as in cases of other calamities, every possible relief is afforded by Government whenever so required.

22. WAZIR MOHAMMED KHAN OF ASTORE: Two years ago Government accorded sanction to the opening of a Middle school at Astore but so far no action has been taken thereon. Will the Hon'ble Home Minister please bring to light reasons for not opening the Middle school so far? Can local persons be appointed as teachers? Would now there be no delay in establishing a Middle school?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: A Middle school has since been opened at Astore.

Local persons can be appointed in the school in the lowest ranks only as highly qualified men are not available

SRINAGAR.

locally.

23. WAZIR MOHAMMED KHAN OF ASTORE: In the year 1992 when there was agitation in Illaqa Astore, Mr. Mehta the late Hon'ble the Revenue Minister telegraphically ordered me to check by exercising my influence the zamindars from participating in the agitation. Accordingly I, with the help of sixty other persons who have always been loyal to and well wisher of His Highness the Maharaja Bahadur, suppressed the agitation. In this connection all those people who had rendered help in carrying out this mission were promised that their cases would be recommended to the Government and they would be relieved of forced labour, but inspite of the report no result has come out of it. Will the Government win their perpetual help and support by making a declaration of their being relieved of forced labour ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The Praja Sabha Sad is referred to para (*a*) (3) of the Development Secretariat Notification No. 39, dated 16th April 1937 published in the Government Gazette, dated 10th Baisakh 1994 under which forced labour (Res system) has already been abolished.

MIRZA MOHAMMED AFZAL BEG: Sir, the answer is different.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: It is the right answer.

MIRZA MOHAMMED AFZAL BEG: The question is "In the year 1992 when there was agitation in Illaqa Astore, Mr. Mehta the late Hon'ble Revenue Minister telegraphi cally ordered me to check by exercising my influence on the zamindars from participating in the agitation. Accordingly I, with the help of sixty other persons who have always been loyal to and well wisher of His Highness the Maharaja Bahadur, suppressed the agitation. In this connection all those people who had rendered help in carrying out this mission were promised that their cases would be recommended to the Government and they would be relieved of forced labour, but inspite of the report no result has come out of it. Will the Government win their perpetual help and support by making a declaration of their being relieved of forced labour ?"

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Much of it is only a statement; the answer is "The Praja Sabha Sad is referred to para (*a*) (3) of the Development Secretariat Notification No. 39, dated 16th April 1937, published in the Government Gazette, dated

10th Baisakh 1994 under which forced labour (Res system) has already been abolished." The misfortune is that the questions are not framed properly.

24. WAZIR MOHAMMED KHAN OF ASTORE: Wazir-Wazarat Bunji, in accordance with Glancy Commission Report, appointed one local man as Girdawar Qanungo in Astore and Bunji in the year 1993 and it did encourage the inhabitants of that Illaqa. But is it a fact that this year a Girdawar Qanungo from Kashmir has been sent there? If it is so, are the Government prepared to call him back to Kashmir and to appoint a local man in his place? When sufficiently able local men are available for this post is it not prejudicial to the rights of the local men to import a man from outside?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister.): The arrangement referred to was temporarily sanctioned in connection with the long leave of the permanent incumbent. The substitute had naturally to revert on the latter's return from leave. Suitable local men can be appointed on occurrance of a vacancy there.

WAZIR MOHAMMED KHAN OF ASTORE: Illaqa Astore is rich for the product of wool but on account of there being no factory the inhabitants of this Illaqa cannot benefit themselves. Will the Government turn its attention to the starting of a factory in this Illaqa for its own benefit and for the benefit of the inhabitants of this Illaqa?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Statistics of production and consumption of wool in Astore Illaqa show that most of the wool locally produced is consumed by the hand-loom weavers there There is no surplus to justify the starting of a factory.

26. MIAN QURBAN AHMED: (*a*) Will the Government please state how many applications of Hindus and Mohammedans of Tehsil Hiranagar were received within the period of one year against any Zaildar or Lambardar?

(*b*) What action was taken by the Government on these applications? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Three complaints against Zaildars of Sedar, Budhi and Hiranagar circles and six complaints against Lambardars of Laswara, Bagocha Chak, Mukandpur Labanyan, Songali and Khanwal villages of Tehsil Jasmergarh were received during the last year.

(*b*) The above noted three Zaildars were suspended but

as allegations against them were not substantiated in the course of enquiries, they were therefore reinstated.

Complaints against the Lambardar of Laswara village were not proved and the complaints were dismissed. The Lambardar of Bagocha Chak was not found to be at fault and the case was filed. The complaints against the Lambardars of villages Mukandpur Labanyan, Songali and Khanwal were withdrawn by the complainants.

27. MIAN QURBAN AHMED: (*a*) Will the Hon'ble Revenue Minister please state who was appointed as Assistant Governor in connection with the vacancy caused by the appointment of Khawaja Mohammed Maqbul (Assistant Governor) as Wazir-Wazarat?

(*b*) Was there no able Muslim available?

(*c*) Is it also a fact that previously there was a sufficient number of Muslims in the higher service but now it has been reduced?

(*d*) If the answer to the above questions be in the affirmative, what are the reasons for doing so?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Pandit Amar Nath Sharma.

(*b*) No suitable Muslim was available to fill up this post.

(*c*) No.

(*d*) Does not arise.

28. MIAN QURBAN AHMED: (*a*) Is it a fact that in Jammu and Kashmir State the number of Head Clerks in Wazarats is nine?

(*b*) Is it also a fact that all the nine are non-Muslims?

(*c*) Is it also a fact that there are four Head Clerks in the Governor Jammu's office.

(*d*) Is it also a fact that the post vacated on account of the promotion of one non-Muslim Head Clerk to the post of Naib Tehsildar Basohli was filled by appointing one non-Muslim?

(*e*) Have not the right of the Muslims as laid down in the Glancy Commission recommendations and accepted by His Highness the Maharaja Bahadur been overlooked? And if it is so, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) No, there are only six Wazarat Head Clerks in all.

(*b*) Yes.

(*c*) No, there are only three Head Clerks in Governor Jammu's office.

(*d*) Yes.

(*e*) No.

29. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state whether upto the year 1992 the number of Muslim Qanungos was four ?

(*b*) Is it also a fact that now this number has decreased ? If it is so, how and why ? To what extent the number has decreased ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) No, the number of Muslim Qanungos in the Revenue Department in 1992 was 34 and not 4.

(*b*) The present number is 35 which means an increase of one.

MIAN QURBAN AHMED : Are all of them Muslims.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : There were 34 Muslims Now there are 35.

30. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state what is the number of Head Clerks in his office ? How many of them are Muslims and how many non-Muslims ? How many vacancies occurred during the last year and who were appointed on these posts ? Was Pandit Bishamber Nath appointed on any of these posts ?

(*b*) Is it also a fact that some non-Muslim was appointed in place of Bakhshi Ram Narain, Record Keeper, who retired from service ?

(*c*) What are the reasons for ignoring the rights of Muslims.

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : (*a*) *1st part.*—Eleven (Muslims 3 and non-Muslims 8).

2nd part.—Two vacancies occurred during the last year, one was given to a Muslim and one to a non-Muslim.

3rd part.—Yes, the non-Muslim appointed was Pandit Bishamber Dass.

(*b*) Yes.

(*c*) Rights of Muslims were not ignored as M. Sardar Khan who held his lien in the Revenue Secretariat on the post of junior clerk in the grade of 30-3-75 was promoted to the post of Record Keeper in the grade of 60-4-80.

31. SARDAR HARI SINGH : "Sweet Corn" is a superior variety of maize and it is being cultivated in the State with a view to improving the lot of the zamindars.

If the answer to this be in the affirmative then

(*a*) When was its cultivation undertaken ?

(*b*) At what localities are the seeds stored in order that seeds may be available to the zamindars and they may be persuaded to cultivate this variety ?

(*c*) At what rate are the seeds supplied to the zamindars ?

(*d*) At what rates are seeds supplied to other persons ?

(*e*) How many seeds have been distributed during the last five years ?

(*f*) Considering the extent of Kashmir are these seeds sufficient and is the rate at which seeds are supplied to the zamindars reasonable ? If the cultivation is not sufficient and the costs of seeds be dear then will Government make such arrangements as would spread the use of this variety ? If not, why ?

THE HON'BLE MR. K N. KNOX (Revenue Minister) (*a*) Yes, in the year 1964.

(*b*) The seeds are available in the Departmental Farms and can be supplied at any place on demand. This crop is now being cultivated by almost all the big zamindars, who supply the produce both for seed and consumption purposes.

(*c*) The seeds are supplied at three annas per seer or Rs. 7-8-0 per maund.

(*d*) Same rates as above. No supply for consumption purposes is made unless seed is to be discarded. But the retail sale of the Sugar corn maize in the market is heavier.

(*e*) The Department has supplied 213 maunds 21 seers during the last five years. A considerable quantity has spread as seed from the produce of zamindars for which no information is available.

(*f*) Seeds are not supplied by the Department only. Sufficient seeds can be available if the zamindars extend its cultivation and there can be no dearth on that account. The cost of the seeds is not dear. Foreign seed suppliers charge very high prices for the same. They charge four to five rupees per seer. The zamindars are extending its cultivation and the progress is satisfactory in this respect.

32. SARDAR HARI SINGH : (*a*) Consolidation of Holding Department has been started for the welfare of the zamindars and for the satisfactory discharge of Government work.

(*b*) The supervising and subordinate staff are all acquainted with the Revenue and the Settlement work ?

(*c*) After the completion of the work of consolidation of holdings the attesting of mutations is done by the Naib-Tehsildar and Tehsildars.

(*d*) The higher officers of the Department consist of the Assistant and the Deputy Registrar who are totally ignorant of the Revenue and Settlement work.

(*e*) If the answer to the above be in the affirmative, will Government please state as to why they have not put this Department under the Revenue Department ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH (Finance Minister) : (*a*) Yes.

(*b*) Staff engaged in consolidation work are always acquainted with Settlement work and are usually taken from Revenue Department.

(*c*) Yes.

(*d*) All Assistant Registrars and Deputy Registrars are not Settlement trained. At present Registrar and one Assistant Registrar are Settlement trained, and very well understand consolidation work. Even as regards the remaining officers who are not Settlement trained no complaint have ever been received regarding their inability to deal with this small part of the work of Department.

(*e*) Consolidation work is done everywhere on Co-operative lines and a society is started which is registered by the Registrar only. The work therefore exclusively concerns Cooperative Department and cannot be put under Revenue Department.

SARDAR HARI SINGH : Will Government make some arrangement for the appointment of such Registrars, Deputy Registrars and other officers of this department who are well versed in the work of Settlement ?

THE HON'BLE RAO. BAHADUR THAKUR KARTAR SINGH (Finance Minister) : It has been replied that staff deputed for consolidation work are Settlement trained.

SARDAR HARI SINGH : What I mean is that the above mentioned Registrar and Deputy Registrar do not know Settlement work. Will Government then make some arrangement in future to have these officers Settlement trained ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : In the opinion of Government it is not essential for these officers to be experienced in Settlement work.

SARDAR HARI SINGH : Is it not essential for them to be trained in Settlement work, while their subordinates do this work ?

MR PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It is not.

33 SARDAR HARI SINGH : Will Government please state as to when was the Consolidation of Holdings Department started.

(*a*) What work has been done by this Department in

each District uptil now ?

(*b*) Knowing that this has proved very useful for the zamindars and that Government work has been facilitated thereby are Government prepared to increase the establishment of this department in the districts where this work has been started ? If so, when ? If not, why ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH : Consolidation of Holdings Department was started in the State at the end of the Co-operative year 1981-82.

(*a*) Consolidation work since done upto date is given below :—

Name of District.	Villages tapped.	Area consolidated in Kanals
Jammu ...	81	1,45,703
Baramulla ...	76	96,866
Anantnag ...	32	45,809

(*b*) Yes. The work can be expanded when more funds are available.

34. SARDAR HARI SINGH : Rules regarding mulberry trees sanctioned in 1958 are contained in the circulars of the Revenue Department; whatever orders issued either by the Revenue Department or by the Sericulture Department regardirg mulberry trees in English or in Urdu were each of them restricted to the Department and no amendment was made in those rules.

Most of the employees of the Department are Urdu-knowing and it is they who are primarily concerned with those rules. Will Government please state as to when will these rules be printed and published in a consolidated form ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The rules are under print.

35 SARDAR HARI SINGH : There are many schools for girls in Jammu city but there are no play-grounds. More attention is necessary for the health of the girls than that of the boys. The late His Highness' Ahata is situated in the city and there is a large plot which has neither been granted to

anybody nor auctioned so far.

If the answer to the above be in the affirmative, will Government please state whether they allot this area for use as play-grounnd for girls ? If not, why ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The answer to the first part of the question is in the affirmative. The Ahata has been reserved for the Exhibition

36. CHOUDHRI ABDULLA KHAN: Will the Government please state as to whether there is any satisfactory arrangement for drinking water on the Kacha road lying between the Kandi Illaqa of Jammu, Gharota and Akhnoor ? If the reply be in the affirmative, at what place does it exist ? If not, why not ?

KHAN BAHADUR RAJA MOHAMMED AEZAL KHAN (On behalf of the Hon'ble Revenue Minister): There are seven tanks on the Jammu-Palaura-Gharota-Akhnur Road These are situated at the following places :—

Palaura, Janipura, Bantalah, Simble, Bhalwal and Ambgharota.

The Government have already taken up the question of supply of water for drinking and other purposes to the Kandi Illaqa of the Jammu Province.

37. CHOUDHRI ABDULLA KHAN: Is it a fact that the Rabi harvest of 1994 has been extremely bad in the Kandi Illaqa, so much so that in some places the lands yielded absolutely no produce ? If the reply be in the affirmative, what remission has been made in favour of zamindars ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): No such report has deen received so far nor has any application been submitted by any zamindar for remission on this account.

CHOUDHRI ABDULLA KHAN: Will consideration be given to the problem of reduction on receipt of any such report ? That is, will the problem of reduction in the land-revenue be considered ?

THE HON'BLE MR. K. N. KNOX: Yes, it will be considered over.

38. CHOUDHRI ABDULLA KHAN: The condition of the short cut roads especially of Illaqa Andarwah, Tehsil Jammu which are helpful to the zamindars in disposing of their crops, is extremely bad inspite of the fact that if the Government pay a little attention, their condition can be improved If it is a fact, are Government , in view of the welfare of the zamindars, prepared to give consideration to improving the condition of the road ? If not, why not ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On be-

half of the Hon'ble Revenue Minister) : Yes, if the Praja Sabha Sad specifies any particular road, suitable action will be taken.

CHOUDHRI ABDULLA KHAN : It is submitted, that at many places this branches of in two, but there is no road in the middle. There is a road on the west which meets with the British territory.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Your question was rather lengthy. You have mentioned all the roads in your question. Only, if you restrict your attention to some particular road the matter will be considered over.

39. CHOUDHRI ABDULLA KHAN : Will Government please state the number of deaths caused every year by the snake-bite in Jammu and Kathua Districts ? Will Government take steps to save the people from sudden deaths by appointing some special physicians ? If not, why not ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Kindly refer to reply given to Q. D. No. 564 in the last Praja Sabha Session.

(This reply was as follows :—

The Medical Department has no returns other than those of Hospitals and Dispensaries. No cases of snake-bite were treated as indoor patients during the past year).

CHOUDHRI ABDULLA KHAN : My question did not concern the Medical Department. My question was, how many deaths are caused by snake-bite ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Your question was not clear. Your question has been answered to the extent it could be made out from the wording of your question. It was about Jammu and Kashmir.

MAJOR GENERAL THAKUR JANAK SINGH : No, no, Jammu and Kathua, two districts.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Your question was very lengthy. Whatever could be made out from it has been answered.

CHOUDHRI ABDULLA KHAN : In my question there was no mention of the Medical Department.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): In order to ask anything else, you will have to put a new question.

40. CHOUDHRI ABDULLA KHAN : Will Government please state the number of cases of house-breaking that took place in Tehsil Jammu in the year 1993 In how many cases did the Police succeed in restoring the stolen property and in how many of such cases were the culprits punished ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Out of 131 cases of house-breaking reported to the Police, 116 were admitted. Stolen property was recovered in 41 of these cases and in 25 cases the culprits were punished.

41. KHAWAJA SANAULLAH SHAH : Are Government aware that :—(*a*) There is a Middle school at Hindwara which is the only Middle school throughout that Illaqa?

(*b*) Having a big Illaqa, this school has a large number of students, and

(*c*) that the present building of the school is quite insufficient for such a large number of students ?

(*d*) If the above facts are correct, do the Government consider it reasonable to make necessary arrangements to provide a sufficient building according to the requirements of the above mentioned school? If the Government thinks it reasonable when can the arrangements for providing such a building be expected ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) The Department has provided rent at the sanctioned scale. Other suitable building is not available.

KHAWAJA SANAULLAH SHAH : If some suitable place is selected for the school, will Government then pay proper rent for it ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Yes, proper rent will be paid

42. KHAWAJA SANAULLAH SHAH : The Government may be fully aware of the fact that : (*a*) There is a quite large number of students in the Hindwara Middle school.

(*b*) There is a great shortage of articles *e. g.* mats etc. in this school owing to which the students are inconvenienced to a great extent.

(*c*) Will the Government please, realising the trouble of students, arrange at an early date for the supply of sufficient number of articles *e. g.* mats etc. for the above mentioned school and thereby oblige the public.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes.

(*b*) and (*c*) Every year a suitable provision for the purchase of equipment is provided in the budget and necessary purchases are made

43. KHAWAJA SANAULLAH SHAH : (*a*) The Government may be aware that in reply to my question No. 672 Q. D. No. 737 about the payment of revenue for walnut trees which are cut down asked in the last session of the Praja Sabha, the Government stated that no action can be taken

about such trees unless the applications of the zamindars are received by the Revenue Department?

(*b*) Are Government aware that after the submission of the applications by the zamindars it takes a long time to complete the papers whereby the poor zamindars are put to great inconveniences ? and

(*c*) Are Government aware that there are standing orders to the effect that the Patwaries should assess land-revenue on the reclaimed area from the Shamilat area, at the time of 'Girdawri" and realize the revenue at the time of collection ?

(*d*) If it is so, then will the Government ,with a view to protecting the subjects please consider it proper to issue orders that the Patwaries should prepare at the time of Girdawri a list of the walnut trees which have been cut down, and allow a rebate in the land-revenue just as they can only assess the revenue on the area reclaimed from the Shamilat at the time of Girdawri on them ?

(*e*) When the Government have provided such facilities for the collection of revenue for the Nautor reclaimed from the Shamilat, how do the Government approve of putting the zamindars to great troubles with regard to their just demand for the remission of revenue The report of the Glancy Commission also contemplate that such remission should be granted forthwith ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) No. But enquiries will be made, and if necessary, orders will be issued to expedite proceedings.

(c) Patwaries record Nautors from Shamilat during the course of Girdawri, but the revenue is realised after the assessment sheet is sanctioned and change incorporated in the Qistbandi.

(*d*) It is unsafe to leave such discretion to the Patwaries. No Amaldramad of remission can be allowed without sanction.

(*e*) Does not arise in view of *c*) and (*d*) above.

MIAN AHMED YAR: But if the sanction comes after the remissible land-revenue has been realized, then is this remissible land-revenue refunded.

THE HON'BLE MR. K. N KNOX: I don't know exactly, but it should be refunded.

44 KHAWAJA SANAULLAH SHAH: Are the Government aware that this House has been requesting time and again to make the road from Sopore to Bandipore fit for Tonga and Lorry traffic ?

(*b*) Do Government remember that an announcement that the road has been made fit for Tonga and Lorry traffic. was made?

(*c*) Are the Government aware that the above mentioned road is not quite fit for Tonga and Lorry traffic. Therefore, will the Government please. with a view to do away with this inconvenience of the public. arrange for the construction of the road in a satisfactory manner and this can be done by spending quite a small amount?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes.

(*b*) Yes, the announcement was made by the Divisional Engineer, Gilgit Division.

(*c*) Every effort is being made to improve the road and make it fit for wheeled traffic More improvement will be made during the next financial year.

45. KHAWAJA SANAULLAH SHAH: Are Government aware:- (*a*) That the villages of Lolab valley, Kalaroach. Haihama and Naihara are frontier villages therefore cattles are found in abundance there?

(*b*) That there is no Veterinary Hospital in the whole of this tehsil except at Handwara which because of its being at a great distance from the above mentioned Illaqa is of no use to them?

(*c*) Do Government realize the fact that the taking of the diseased cattle for treatment from these villages to Handwara is not only very troublesome but is quite impossible with the result that for want of medical aid there the people are generally put to serious loss due to death of cattle.

(*d*) Will the Government please open a Veterinary Hospital at Kupwara the central place in the villages for the sake of prosperity and convenience of this whole Illaqa and thereby provide means for the welfare of the poor zamindars? If so, then when practical steps be taken.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes.

(*b*) The Veterinary Assistants in each District are required to tour in the Illaqa to watch and look into the needs of the people. It is proposed to include the Lolab Illaqa in the Veterinary Programme of the Travelling Veterinary Assistant Surgeon newly appointed for the Kashmir Province. The question of opening of a separate Dispensary at Kupwara will be considered as soon as funds permit.

(*c*) and (*d*) Do not arise.

46. KHAWAJA SAFDAR ALI: There is a Lower Middle school at Magam, Tehsil Baramulla around which a vast

Illaqa extends from Gulmarg to Srinagar and a greater part of Tehsil Badgam. Are Government in view of facilities to the poor zamindars prepared to open a Middle school there? if not, why not?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: There are many other Lower Middle schools largely attended which deserve to be raised to the status of full Middle. The question of Magam will be considered at proper time. Such questions are moreover referred to the Education Standing Committee.

47. KHAWAJA SAFDAR ALI: (*a*) Will the Government please state as to how and in which of the villages the Sanitation fund has been spent upto this time?

(*b*) Is there any regular scheme for spending this fund, if so, then what is that?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Here is a list showing how and in which of the villages Sanitation Fund has been spent up to this time: —

Tangmarg.

4 Sweepers for 4½ months at Rs. 12 p. m. each.

Ganderbal.

One Jamadar at Rs. 16 p. m.

3 Sweepers for full year and 4 for 6 months at Rs. 12 p. m each.

Tulmulla.

2 Sweepers for full year at Rs. 12 p. m.

Shadipur

One Jamadar at Rs. 16 p. m. for 6 months

3 Sweepers at Rs. 12 p. m. each for 6 months.

Sonmarg.

One Sweeper at Rs. 12 p. m. for 6 months

Nishat, Shalabagh and Chashma Shahi.

2 Sweepers at Rs. 12 p. m. each for 12 months for Shala Bagh and Nishat.

3 Sweepers for 7 months each for 3 gardens.

Contingencies for brooms, basket etc. for 3 gardens.

Achhabal

One Jamadar at Rs. 16 p. m. for 6 months

3 Sweepers at Rs 12 p. m. each for 6 months.

Hazratbal

One Sanitary Inspector at Rs. 40 p. m.

Cycle Allowance to the Sanitary Inspector at Rs. 7 p. m.

3 Sweepers at Rs. 12 p. m. each.

One Bahishti at Rs. 10 p. m.

Office-rent at Rs. 5 p. m. for 6 months.

Nasim Bagh.
One Jamadar at Rs. 16 p. m.
2Sweepers at Rs. 12 p. m. each for 6 months.
Nagin Bagh Lake.
One Jamadar at Rs. 16 p. m. for 6 months.
5 Sweepers at Rs 12 p. m. each for 6 months.
Mattan.
One Jamadar at Rs. 14 p. m. for 6 months.
4 Sweepers at Rs. 10 p. m. each for 6 months.
Tools and Plant.
Disinfectant materials.
Karnah.
2 Sweepers at Rs. 10 p. m. each.
Uri.
2 Sweepers at Rs 10 p. m. each.
Garhi.
2 Sweepers at Rs 10 p. m. each.
Tools and Plant for above 3 places.
Hattian.
2 Sweepers at Rs. 10 p. m. each.
Batote.
3 Sweepers at Rs. 10 p. m. each for 8 months.
Contribution towards Kandi water supply.
Construction of a well at Mohara Baoli, Samba Tehsil.
Silt clearance of a tank in village Badhori, Samba.
Aid to local people for construction of a well at Ambaralla, Bhimber Tehsil.
Aid to local people for construction of a well at Alluwala, Bhimber Tehsil.
Aid to local people for construction of a well at Chhamb, Bhimber Tehsil.
Contribution for a well in village Kalri, Bhimber Tehsil.
Repairs to well at Malot, Bhimber Tehsil.
Construction of a tank at Mirpur.
Construction of a well at Sebrian in Jasmergarh.
Repairs to a well at Thatur etc., Kathua Tehsil.
Repairs to a well at Saroh in Jasmergarh.
Digging of a tank near Katra, Reasi.
" " " at Saroh Kotla, Reasi.
Sopore Water Supply.
Uri Water Supply.
Shah Gund Water Supply.
Kishtwar Water Supply.
Ramnagar Water Supply.
Reasi Water Supply.

Water tap connection to Bijbehara.
Tube well Boring at Chhani.
Hand Pump and iron tank at Chhani.
Purchase of hand barrow for Mirpur Tehsil.
Incinerator at Gandarbal.
Subvention to Anantnag Town Area, 1991-92.
" to Pahalgam Town Area 1992-33.
Contribution to Ananenag Town Area 1993-94.
" to Muzaffarabad Town Area 1993-94.
" to Reasi Town Area 1993-94.
" to Pahalgam Town Area 1993-94.
Catchment Area Gulmarg.
Engagement of 4 Sweepers at Rs. 3 p. m. for 3 months during pilgrimage days at Katra.
Lighting charges at Katra during Pilgrimage days.
Contribution to Muzaffarabad Water Supply.
Loan to Gulmarg for purchase of Fire Engine.
Contribution to Gulmarg for purchase of Fire Engine.
Contribution to Baramulla for " " " "
Loan to Gulmarg for construction of Main Road.
Loan to Pahalgam for purchase of Fire Engine.
Contribution to Pahalgam for purchase of Fire Engine.
Furniture for Sanitary Inspector, Hazratbal.
Construction of 3 latrines for Moghal Gardens.
Allowance to Medical Officer, Gulmarg.
Rebuilding of watchers hut at Gulmarg.
Construction of Urinals at Nasim Bagh.
Contribution for maintenance of water supply, Udhampur.
Maintenance charges for Batote Water Supply.
Petty repairs to damaged pipe lines Batote.
Maintenance charges for Cherar-i-Sharif Water Supply.
Additional grant for Cherar-i-Sharif.

(*b*) The Sanitation Cess Fund is controlled and utilized under the directions of the Sanitation Cess Board for the following purposes, and a regular budget is framed annually: –

1. Subvention to Town Areas and Sanitation Village Funds,
2. Monetary assistance to village Panchayats for Sanitary improvements,
3. Grant for the improvement of water supply in Rural Areas and
4. For undertaking such other works as would improve the sanitary conditions of the country side.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : The

answer of this question is so badly written that I cannot read it. The member has been supplied with a copy. He can make out for himself from his copy.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing Khawaja Safdar Ali) : You have got a written answar. You can read it.

KHAWAJA SAFDAR ALI : Yes, I can read it.

48. KHAWAJA SAFDAR ALI: (*a*) Will the Hon'ble Revenue Minister please state as to how much area of Shamilat has relatively been divided among the zamindars in the Patwar circles of Naidkhai, Sumbal, Hajan and Sultanpura Rakh in the Baramulla Tehsil?

(*b*) Are Government prepared to place on the table an Assamiwar list including therein the place of residence, the previous as well as the present Haq-i-Assami areas of the said villages ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The total Shamilat area allotted to 27 villages within these circles is detailed in the enclosed statement. Entries of areas in possession of individual proprietors are recorded in the Patwar papers of the villages. The labour involved in copying out all these entries will be very great.

(*b*) The question is not clear, as Haq-i-Assami tenure does not exist in Kashmir now.

KHAWAJA SAFDAR ALI: Is it always done?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): He means to say whether the land has been given according to their dues.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: Yes, it is always done like that.

KHAWAJA SAFDAR ALI: Has this been done even at present?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: Yes, it has been done. If it has not been done somewhere, you can get it done. You can apply for it.

List of Shamilat areas Dehwar Halqa Hajan etc., Tahsil Baramul'a (Northern Wazarat, Kashmir).

Serial No.	Name of Halqa Patwar.	Name of villages.	Qabil-i-Taksim.	Naqabil-i-Taksim.	Total.
1	Sumbal Inderkote.	Sumbal Inderkote	20	724	744
		Barahla Sanot ...	...	583	583
		Sanot ...	...	173	173
		Vaigipura ...	...	350	350
		Gund Ramzan ...	...	...	...
		Rakh Asham ...	3,877	3,575	7,452
		Mar Kundal ...	...	264	264
2	Naid Khai	Naid Khai ...	3,360	2,781	6,141
		Gundi Jahangir ...	...	863	863
		Kanipura ...	...	156	156
		Gundi Balakh ...	...	51	51
		Wattal Hanji ...	...	2	2
		Tangapura ...	10	2	12
3	Ganistan	Rakh Sultanpura ...	...	2,054	2,054
		Ganistan ...	...	613	613
		Gund Naugam ...	...	308	308
		Naugam ...	327	173	500
		Tekpura ...	...	73	73
		Tergam ...	293	1,013	1,306
		Gund Kamal ...	...	539	539
		Shardapura ...	10	356	366
		Wattalpura ...	21	25	46
4	Hajan	Hajan ...	6,377	5,363	11,740
		Gund Brangh ...	39	532	571
		Rakh Hajan ...	915	966	1,881
		Madwan ...	281	89	370
		Sri Hari Gund ...	400	...	400

49. KHAWAJA SAFDAR ALI: In the past sessions the late Hon'ble Home Minister (Mr. Wajahat Hussain) gave a promise that a sufficient amount will be provided in the Budget for the repair of the bunds of the flood channel and that the bunds will be repaired. Will the present Home Minister please state whether any amount has been provided in the current year *e. g.* 1993-94 or was provided in the last year *e. g.* 1992-93 and at what place have the bunds been repaired.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: A sum of Rs. 4,000 was sanctioned in the year 1992-93 and Rs 4,000 in 1993-94 for raising the banks of the flood spill channel. The work was done near Ghasi Khan.

50. KHAWAJA SAFDAR ALI: A reservoir of water to provide facilities in irrigation and bridge for public traffic was built at Gundh Khawaja Kasum, Tehsil Baramulla in the time of Mr. Talbut, the Settlement Commissioner through the Road Cess Department. These have been washed away by the floods and consequently public are having great difficulties regarding the means of irrigation and traffic. Will the Government please issue immediate orders for the reconstruction of this bridge and the reservoir either through the Public Works or the Road Cess Department?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Road Cess Fund cannot be utilized for such purposes. Efforts will be made next year to get the work done by debit to Canal Grant.

51. KHAWAJA ALI MOHAMMED: Will the Hon'ble Home Minister please state since when no Muslim has been appointed on the post of Inspector Kashmir Circle? If no Muslim has been appointed since a long time then the reasons therefor be stated?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Since 1974 the question of the transfer of the present Inspector and bringing a Muslim Inspector to Kashmir is under consideration.

52. KHAWAJA ALI MOHAMMED: (*a*) Will the Hon'ble Home Minister please state whether there is any order of His Highness the Maharaja Bahadur that the Provinciai Inspectors should after every three years be transferred from Jammu to Srinagar and *vice versa*? If the answer be in the affirmative, then

(*b*) Has that order of His Highness been carried out? If not, why not?

(*c*) Will the Hon'ble Home Minister please state when the present Inspector of Schools Kashmir Circle was appointed in the valley?

(*d*) If the period exceeds five years then for what reasons he has not been transferred from Kashmir?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) No.

(*b*) The question does not arise.

(*c*) In the month of February 1933.

(*d*) The period does not exceed five years. The

question of his transfer is however under consideration.

53 KHAWAJA ALI MOHAMMED : Will the Hon'ble Home Minister please explain what merits the present Inspector of Schools had by virtue of which he was at once promoted from the post of a Headmaster to the post of a Inspector inspite of the fact that there were other senior, efficient, experienced and qualified candidates in the Department ?

(*a*) Is it a fact that the academic qualification of the present Inspector of Schools, Kashmir Circle is M. Sc. Geology ? If it be correct, then

(*b*) Is this a sufficient qualification for an Inspector and was there no qualified, experienced and senior man in the Department ?

(*c*) What is the standard of qualifications necessary for a Inspector in the Punjab and

(*d*) Does the present Inspector of Schools possess the requisite qualifications according to that standard ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The present Inspector of Schools Kashmir was formerly working as a Professor in the Prince of Wales College Jammu and was drawing a salary of Rs. 390. The post he held having been brought under reduction, he was provided for elsewhere and when the Inspector of Schools' post in Kashmir was available, it was given to him.

(*a*) Yes.

(*b*) and (*c*) No standard is fixed in the Punjab. Even F. A's are appointed Inspectors by virtue of their seniority.

(*d*) The question does not arise.

54. KHAWAJA ALI MOHAMMED : Will the Hon'ble Home Minister please place the following statement on the table :—

(*a*) How many Muslims and non-Muslims drawing above Rs. 50 were on the non-Gazetted posts in the Education Department before the recommendations of the Glancy Commission and what were their salaries ?

What is their number at present and what are their salaries ?

(*b*) What was the number of trained men at that time and what is it at present ?

(*c*) What was the number of the unqualified officials at that time and what is it at present ?

(*d*) What measures the Government has adopted to make up the deficiency of the Muslims ?

(*e*) What objection the Government would have if the seniority of the Muslim qualified and trained teachers be maintained separately ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : A

report has been called for from the Director of Education in this connection. On receipt of his report this question will be replied to.

55. KHAWAJA ALI MOHAMMED : Will the Government please state :—(*a*) Whether the Glancy Commission recommended for the direct appointment of Muslims ? If the answer be in the affirmative, then

(*b*) Does it mean that Muslim trained or untrained graduates be imported from outside for appointing on higher posts ?

(*c*) Is it not prejudicial to the rights of the present trained graduates ?

(*d*) Will it be against the principle of direct appointment if they be promoted from the lower to the higher posts ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) The member is referred to page 23 of the Glancy Commission Report wherein the recommendations of that body are given.

(*b*), (*c*) and (*d*) The whole question of direct appointments and promotions in the services is under consideration at present and it is not possible to make any statement at this stage.

KHAWAJA ALI MOHAMMED : Does it mean to alter the recommendations of the Glancy Commission ?

RAI SAHIB PANDIT RAM CHAND KAK : It does not concern with change in the recommendations of the Glancy Commission.

MIRZA MOHAMMED AFZAL BEG : Will Government keep in view the recommendations of the Glancy Commission report, while deciding this matter ?

RAI SAHIB PANDIT RAM CHAND KAK : I beg your pardon.

MIRZA MOHAMMED AFZAL BEG : While coming to any decision on this matter, will Government consider the recommendations made by Sir Glancy in this respect.

DEWAN BAHADUR N. GOPALASWAMI AYYANGAR : Certainly.

56. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact that :—(*a*) That on Sawan 6, 1994 Safdar Khan Tezial, Lambardar and Kalu son of Shams Gujar of Tahla, Tehsil Bagh breathed their last while crossing the Mahal ?

(*b*) That the zamindars of Tehsil Bagh had to sacrifice hundreds of precious lives annually for want of a bridge over the Nullah Mahal ?

(*c*) That -/8/- and sometimes Re. 1 per head is to be paid for getting help in crossing the Nullah?

(*d*) That the passengers are detained for weeks together during the rainy season ?

(*e*) That the Nullah Mahal is 25 miles long having population on its either side and still having no bridge over it.

If the answer be in the affirmative, then it may please be stated why the Poonch Administration do not construct a bridge over this dangerous Nullah? If the answer be that the bridge will be constructed then it may be stated when will it be done so ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes

(*b*) Temporary bridges are constructed over Mahal Nullah and it sometimes happens that persons who do not cross through the bridges lose their lives while crossing the Nullah.

(*c*) The administration is not aware of this

(*d*) No person is detained for weeks together, as mentioned in the question but sometimes it may be necessary to wait until the water subsides in these hilly Nullahs.

(*e*) *1st part.*—Yes. For the last portion please refer to reply in (*b*) above.

2nd part.—The question of constructing a suspension bridge over this Nullah near village Harighel is already under consideration.

57. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact :—(*a*) That the present temporary bridge at Lachman Pattan is in a dangerous condition ;

(*b*) That provision was made in the last budget for the construction of a new bridge ;

(*c*) That the correspondence is going on for obtaining the sanction of the Hon'ble Prime Minister ;

(*d*) That the Poonch Administration ordered the contractor to supply the material and to take the work in hand ;

(*e*) That the contractor applied time and again that the cement etc. is being wasted ;

(*f*) That the Wazir of Poonch has issued an order to the contractor to stop the work ;

(*g*) That the people of whole of Tehsil Sadhnoti and half of Tehsil Bagh depend on this bridge ;

(*h*) That there is no bridge over the river Jhelum upto 90 from Lachman Pattan ;

(*i*) That the inhabitants of Tehsil Sadhnoti and Bagh can maintain themselves from the produce of the land hardly for two months and for the rest of the ten months in a year they import grain from the British territory for their main-

tenance and this bridge is the only means of communication.

If the answer to the above facts be in the affirmative, then why the bridge has not been constructed at Lachman Pattan inspite of so many promises being given? The reasons therefor be stated so that the unrest among the public may be removed?

WAZIR FEROZ CHAND: (*a*) Yes.

(*b*) Yes.

(*c*) No. correspondence is however going on with regard to acquisition of land on British side of the river for construction of piers etc. of the bridge.

(*d*) Yes.

(*e*) No.

(*f*) The work has been ordered to be kept pending till sanction of the Punjab Government for acquisition of the land is received.

(*g*) Yes, but the existing bridge is serving the purpose for the present.

(*h*) Yes.

(*i*) This is not the fact. The people of Bagh Tehsil and those of the northern part of the Sadhnuti Tehsil import grains from Kashmir. The people of southern part of Sadhnuti and those of western parts of the Bagh Tehsil import grains from the plains *via* Lachman Pattan where a bridge for pedestrians and equestrians exists. However as soon as the sanction of land is received, the construction of a pucca bridge at Lachman Pattan will be taken up in right earnest.

SUBEDAR KHAN MOHAMMED KHAN: Sir, the construction of this bridge is under correspondence with the British territory for the last ten years. Has any decision been arrived as yet or not?

WAZIR FEROZ CHAND: The letter has been received. Now a notification has been issued for acquisition of land under Section 4. Some time has also been allowed for it. The work will be taken in hand on receipt of sanction.

58. SUBEDAR KHAN MOHAMMED KHAN: Is it a fact:—(*a*) That the zamindars of Tehsil Bagh constructed the school building at the cost of about Rs. 500 at Cheroi Bhagiana situated in Pachiot and employed a private teacher?

(*b*) That there are about 60 boys and 30 girls who are receiving education in this school?

(*c*) That the village Pachiot extends over about ten miles but there is only one Government school?

(*d*) That the zamindars pay Rs. 5,000 as land-revenue

and 'Tarni' annually?

(*e*) That the inhabitants of the above said village mostly consist of military men?

(*f*) That a drill master in this school has been employed on Rs. 5 p. m. ?

If the answer be in the affirmative, then is the Wazir of Poonch prepared to include this private school in the list of schools run by the Poonch Administration? It not, why?

WAZIR FEROZ CHAND: (*a*) The Administration has no knowledge of the existence of any such school.

(*b*) (*c*), (*d*), (*e*) and (*f*) In view of the above, these questions do not arise.

59. SUBEDAR KHAN MOHAMMED KHAN: Is it a fact:—

(*a*) That an exemption from customs duty has been made in favour of the zamindars for all sorts of goods valuing up to Rs. 25?

(*b*) That the Inspector incharge Lachman Pattan post allows exemption to the zamindars upto Rs. 25 whereas they are not similarly treated at Dalkot, Khabdan, Kohala?

(*c*) The Mahaldars of the Customs Department say that the exemption is allowed only in the case of labourers and not in the case of soldiers and that the Poonch Administration makes amendments at its own sweet will?

(*d*) That the zamindars of Poonch depend for their livelihood on military and other kinds of services?

(*e*) That they pay the land-revenue and maintain their family with the money earned by this means?

If the answer be in the affirmative, it may please be stated why the zamindars of Poonch are not given the opportunity to benefit from the royal favours. The reasons therefor be stated?

WAZIR FEROZ CHAND: (*a*) No. The exemption has been made in respect of labourers only.

(*b*) Action can be taken if any particular complaint is brought to notice.

(*c*) The exemption is allowed only in the case of labourers. It is not meant for soldiers or other persons.

(*d*) The zamindars of Sadhnuti and a certain portion of Bagh Tehsil only depend upon military and other kind of services.

(*e*) Yes.

In view of the answer to parts (*a*) and (*b*) above, the last portion of the question does not arise.

MIRZA MOHAMMED AFZAL BEG: Are not soldiers labourers?

WAZIR FEROZ CHAND: No.

60. SUBEDAR KHAN MOHAMMED KHAN: Is it a fact:—(*a*) That the officials of the court of Sub-Judge Rawalakot openly receive bribes from the applicants. No work whatsoever can be got done without offering them any remuneration?

So much so that it is believed that they don't get any pay and are all employed for getting bribes?

(*b*) That the Sub-Judge of the said Court compels the litigants to engage Vakils to plead their case on account of which the simple-minded zamindars are being ruined. If the answer be in the affirmative, then will the Wazir Sahib of Poonch please adopt measures to check this evil?

WAZIR FEROZ CHAND: (*a*) No. Action can, however, be taken if a definite complaint of bribery is received by the Administration.

(*b*) The Administration is not aware of this.

61. SULTAN MOHAMMED FEROZ-UD-DIN KHAN: (*a*) Will the Hon'ble Revenue Minister kindly state whether the powers of Divisional Forest Officers of distributing timber on concession rates have been taken back? If so, why?

(*b*) If the reply to (*a*) be in the affirmative, will the Government, except in the cases of companies and contractors where there is apprehension of misappropriation and theft, keeping in view the hardships of the zamindars only, re-invest the said officers with the powers of distributing timber at concession rates?

(*c*) Will Government in order to remove atonce the hardships of the zamindars invest the Divisional Forest Officers with powers to distribute timber amongst zamindars in accordance with their individual needs without the prescription of any time limit?

(*d*) If the answer to (*b*) and (*c*) be in the negative, the reasons thereof be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) No.

(*b*) Does not arise.

(*c*) The answer to the fist part is that the Divisional Forest Officers have got these powers already. Answer to the 2nd part regarding time limit is in the negative.

(*d*) As regards 2nd part of (*c*) above enough time is being given to the zamindars for extraction of timber from the forests; unlimited time will result in illicit damage which would be impossible to control.

MIAN AHMED YAR: Have the powers of the Divisional Forest Officers been restricted since some time?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing the Hon'ble Revenue Minister) Were those powers exercised by Divisional Forest Officers over the suspended persons?

THE HON'BLE MR. K. N. KNOX: No, so far as I know.

62. MIRZA ATTA MOHAMMED KHAN: (*a*) Has the Hon'ble Home Minister received any complaint against the rotten and deteriorated condition of the Jhelum Valley Road?

(*b*) If reply to (*a*) be in the affirmative, will the Government provide any further amount in the annual Budget for improving its condition?

(*c*) Is it a fact that comparatively more money is being spent on B. C. Road than what is spent on J. V. Road. The estimate of expenditure for each of these roads for the year 1992-93 be separately stated. When the condition of the J. V. Road is going from bad to worse day by day and this road passes through the State territories from Srinagar upto Kohala, the reasons for spending so small an amount on the improvement of this road be stated?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) No, the road is in a fairly good condition

(*b*) Does not arise.

(*c*) No, the average repairs expenditure on Banihal Road was Rs. 1,169 per mile against an average repairs expenditure of Rs. 1,392 per mile on J. V. Road during the financial year 1992-93.

63. SULTAN MOHAMMED FEROZ-UD-DIN KHAN: Has the Hon'ble Home Minister received officially or unofficially any information regarding insufficient accommodation and the dilapidated condition of the building of Hattian Dopatta Middle School. The rooms in this building are dark and dingy. There are more than two hundred students who receive education in this school but the arrangement being no better than one meant for animal, there is every danger of their becoming victim to T. B.?

(*b*) If the answer to (*a*) be in the affirmative, do Government, in view of the general health of the students, intend to prepare a Government building, especially when hundred of rupees are paid as rent to others for a building which is no better than a prison?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Hattian Dupatta Middle School is in a rented building; with the exception of two rooms the building is well ventilated and commodious. No better building is there. available Yes, when funds permit.

MIAN AHMED YAR: Has the Hon'ble Home

Minister examined it personally and is it his personal opinion ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : No.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : He has received the report.

MIAN AHMED YAR : The building is bad inspite of spending a good deal over it.

MIRZA MOHAMMED AFZAL BEG : Has the Hon'ble Home Minister received any information about the insufficient accommodation of the school building ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Might have been received, I don't know.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Praja Sabha Secretary will read the report regarding the Bills that have received the assent of His Highness the Maharaja Bahadur.

NOTE.—The Secretary read out the following report.

Report regarding draft Bills on which sanction of His Highness the Maharaja Bahadur has been obtained.

Sir,

I beg to request that the following Bills have received the assent of His Highness the Maharaja Bahadur and have become laws since the last session of the Praja Sabha:—

1. The Possession Tax (Repeal) Bill.
2. Water Mills (Amendment) Bill
3. The Identification of Prisoner's Bill.
4. The Cooperative Credit Societies (Amendment) Bill

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Resolutions will be taken now. The Assistant Secretary will please read out the resolution of Lala Ram Lal.

NOTE.—The Assistant Secretary read out the following resolution of Lala Ram Lal

"This Praja Sabha recommends to the Council that officers whose services may be lent in future by the State to Illaqa Poonch, should not be paid more than 10 per cent. in excess of the actual pay that they draw in the State."

LALA RAM LAL VAKIL : Sir, I have moved the resolution that officers who are deputed by the State for service in the Poonch Illaqa should not get an allowance of more than ten per cent. over and above their pays.

Before I submit any facts or figures in this connection, I deem it proper to state what practice prevailed in Poonch with regard to services. In 1960 when there was a Residency in Poonch Wazirs used to come from British India. Formerly persons appointed as Wazirs of Poonch used to get Rs. 500 only. If they had been receiving a salary of four hundred rupees in British India, they were paid five hundred in Poonch. In the same way if they had been getting Rs. 800 in British India they would be paid a salary of eleven hundred rupees in Poonch. In short they would be given a small amount as allowance in addition to their salaries. In this connection I think it is important to submit that upto 1979 when the income of Poonch ranged between twelve or fifteen lacs the Wazir's salary used to be between five hundred and one thousand rupees. After 1979 when Wazirs began to come from the State a great increase was effected in their pays. The officers who are deputed by the State as Wazirs in Poonch have the status of Wazirs Wazarat here and they receive salaries of rupees four to five hundred. In Poonch they are paid a thousand or eleven hundred. I would also submit that the present Wazir of Poonch gets a salary of rupees six hundred in the State but in Poonch he receives a salary of eleven hundred rupees. If other concessions are also taken into account his pay comes to about thirteen or fourteen hundred rupees. I think it important to say that after 1979 the income of Poonch has been decreasing and it is now only between nine and ten lacs. When Poonch had a greater income the salaries of the Wazirs were always between five hundred and one thousand rupees. I fail to understand how salaries of a thousand or eleven hundred and concessions can be justified now that there has been a perceptible fall in the income of Poonch.

I will talk in detail regarding the great difference between the pays received in the State and the Poonch by the lent officers who are deputed from here. As an instance in point I would submit that the present Wazir of Poonch received a salary of six hundred rupees; but there, apart from his being in receipt of a salary of eleven hundred rupees, he has free furnished quarters, free car and free electric supply. These concessions make a sum of about two hundred and fifty rupees. There are no such terms with him. There is no agreement according to which he avails of these conces-

sions. Take again the case of the Chief Judge of Poonch. He enjoys the rank of Sub-Judge in the State and receives a salary of three hundred and forty rupees. But in Poonch he is paid at the rate of rupees seven hundred per month. Now let us take the case of the Chief Revenue Officer, here he is in the Tehsildar grade receiving a salary of two hundred rupees a month ; but in Poonch he is getting four hundred rupees per mensem. In the same way, as I have already mentioned, the Wazir is enjoying, apart from his salary of eleven hundred rupees, same concessions also though no one can haveithese concessions as long as these have not been sanctioned by the Darbar.

In the last sessions I asked a question and enquired from the Government the terms under which these concessions are being granted. In reply I was told that Raja Sahib had not yet enforced these rules in his Illaqa. I cannot understand why these rules have not been enforced there when all laws, rules, and orders, issued by the Kashmir Darbar are complied with in Poonch too, and these rules effect the lent officers. Why are concessions being extended to them as long as sanction has not been obtained from the Darbar? They cannot acquire any concessions from Poonch. It is a matter of dispute. Not only is this all I would submit that he enjoys these concessions in addition to his pay. In a State with an income of two crores and twenty-five lacs the Ministers get a salary of rupees four thousand. How can a Jagir with an income of nine or ten lacs pay rupees fifteen hundred. The second point is that the Chief Judge receives a salary of rupees seven hundred, while in the State he is paid only three hundered and forty-five rupees. This means that there is a cent. per cent. increase in his pay. He also has a free house, furniture etc ; though like the Wazir he is not given a car. In this way he makes about a thousand a month. Formerly the Chief Judges in Poonch used to rceive a salary of four or five hundred. The economic condition of Poonch cannot bear such high pays. The present Munsiff in Poonch is a B. A., LL. B. He gets a salary of one hundred rupees. If we get a B. A , LL. B. from the State he is paid three hundred and twenty rupees The Chief Revenue Officer similarly gets cent. per cent. more than his pay in the State. His pension contribution is over and above that. There must be many gentlemen here who do not know the exact location of Poonch The way to Poonch leads a little further from Uri.

On the way to Uri from Baramulla about eight miles thence begins the Illaqa of Poonch. It should be thought over that an officer while he is within the limits of the State gets only half as compared to the pays that are paid in Poonch. If he goes a few miles on, and enters Poonch, his pay is doubled. Why is it that our Budget is being weakened so much?

A VOICE: That is a Frontier Illaqa.

LALA RAM LAL VAKIL: The Frontier Illaqas are those which can be reached only after a ride of ninteen stages. And one has to live secluded from one's friends and loved ones. What do people (who live in such Illaqas) get? They receive only thirty per cent. The House is aware that Poonch is called a part of the State, though it is not so. Why are officers of the State who are deputed there paid so very high salaries In Kotli, for instance, the Sub-Judge receives a salary of three hundred and forty-five rupees. But when he crosses the boundaries of the State and enters Poonch he is paid not only up to seven hundred but even up to one thousand. We do not want that their pays be reduced. What we want is that when high salaries are paid officers of a proportionate capability should be appointed. These should be paid according to their merit and in addition should receive an allowance of ten per cent as has been recommended in the resolution. If, for instance, a Sessions Judge receives a salary of rupees eight hundred in the State and he is sent to the Poonch Illaqa he will get rupees eight hundred there. It should not be that a Tehsildar may be made the Governor of Poonch and a Wazir Wazarat the Wazir. In place of the present Wazir who is getting about fifteen hundred rupees, an abler man, a retired I. C. S. could be procured. That would prove very useful for the Illaqa. In this connection it is worth consideration that in our Illaqa there are B. A., LL. B. Sub-Judges who have a service of fifteen or twenty years to their credit why is it that none of them has uptil now been made the Chief Judge? Officers are deputed from here for all the big posts. This affects the poor subjects. I would submit that this is not a good procedure If Raja Sahib agrees to have officers from here, they should in that condition not receive an allowance of more than ten per cent. I would submit that the Wazir, the Chief Judge, and the Chief Revenue Officer, receives each a salary of six hundred. three hundred and forty-five and two hundred

rupees respectively in the State. In Poonch they are paid eleven hundred, and four hundred rupees repectively as pays only. If they are given an allowance of ten per cent. over their pays the Illaqa will be saved a sum of rupees sixteen hundred per month which makes nineteen thousand per annum. With this sum public utility works can be undertaken in the Illaqa ; schools, roads and bridges etc. can be opened. In this case the pretext of financial stringency will also hold good no longer.

With these words I close my speech ; I make a respectful but strong request to the House that it should support my resolution.

PIR HISSAM-UD-DIN: I support it.

LALA HANS RAJ: If any one wants to oppose it, I will make a speech in reply after that.

LALA SHIV NATH NANDA: You cannot speek twice.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You will not get an opportunity afterwards.

SARDAR DHIAN SINGH: Sir, all that Lala Sahib has said is quite true. The sums paid to the lent officers are too heavy. If instead a deputation allowance of only ten per cent is allowed over and above the actual pay the Illaqa would gain by thousands. The lot of the subjects of Poonch could be bettered then. In the last sessions the Government agreed to the construction of a bridge over the river at Lachman Pattan below Kohala. But this work has been postponed due to lack of funds. The house may be aware that the produce of corn etc. in Poonch lasts hardly for four months there. For the rest of the year the poor subjects have to import grains from British India. Because of the lack of a bridge they get the grains in a boat. Sometimes floods drown the boats. This does not result in the loss of grains only but of human lives too. The members of the family believe that grains are being got for them but the earners are already dead.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Please limit your speech to the discussion of the resolution.

SARDAR DHIAN SINGH: I would submit that within fifteen years a saving of a lac and eighty thousand can be effected. This can be used to improve the conditions of the people there. Because of the sentiments of sympathy and pity of His Highness the Maharaja Bahadur and his desire for the welfare of his subjects roads, tanks and

bridges can be constructed. Instead of this the income of the Illaqa which is already meagre is being spent in paying high salaries to the officers of the State and an unusual burden is laid on the budget. When we ask for works of public utility the pretext of lack of funds is given to us. It is therefore necessary that officers of the State who are sent on deputation to Poonch should get only a deputation allowance in addition to their real salaries. The money saved thus should be used for the uplift of the people, so that their condition can improve, and His Highness' subjects.....

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The name of His Highness should not be repeated in the course of a speech. The Government should be named instead.

SARDAR DHIAN SINGH: With the above words I support this resolution.

MIAN AHMED YAR: This year Moulvi Mohammed Sayeed, Editor of the "Hamdard", raised a voice of protest in a meeting of the committee against the practice of gambling in the Exhibition. But his was a cry in the wilderness. Therefore in the interests of the public, I seize this opportunity to give vent to our feelings by supporting this resolution which relates to public good.

The resolution that has been moved in the House that lent officers who are sent on deputation to Poonch should receive an allowance of only ten per cent. is quite justified according to principle. These days in those provinces of British India where the Congress is in a majority the Premiers are receiving a salary of only five hundred rupees. There is no reason why in an Illaqa like Poonch administration should be made so very top-heavy. The Government ought to act on the principles, we enunciate. This suggestion is practicable in every way. It can benefit the subjects of Poonch to a considerable degree. I will talk about Travancore administration, as an instance. There instead of having a number of Ministers they have only one Dewan. He receives a salary of two thousand per month. There are various Secretaries for the different departments. These receive a salary upto seven hundred rupees, and they carry on the administration, and Travancore is a famous State in India. It has a University and the percentage of educated people is higher there. No other Indian State can compare with it. There is no reason why economy should not be thought of in a small Illaqa like Poonch

which is under a Jagirdar and has an income of ten lacs. This proposal is in the interests of the welfare of the public in Poonch. Keeping in view the budget of Poonch, I think no one ought to oppose this resolution.

PANDIT RAM CHANDRA DOBEY: Sir, I want to submit briefly that the Government will perhaps tell us what it pays here the lent officers, who come from British India and what, in contrast, should be the salary of those officers whose services are lent to Poonch. I think the idea that officers lent by the State to Poonch should receive the same scale of salary as received by lent officers from British India in the State should be given up. If their percentage is high it should be borne in mind that Poonch is a Jagir, and a part and parcel of the State. Those officers who go from here should not be regarded as lent officers but as officers on deputation. The Wazir of Poonch should be considered to be like the Wazir, who may be appointed in Mirpur. There can in this respect, be no differentiation between Poonch and Mirpur. I think in view of the resolution that has been moved in the House the House should agree only to an increase of ten per cent. There is no better method than this.

WAZIR GANGA RAM: Sir, I submit that when the Premiers of U. P. and N. W. F. P. draw a salary of only five hundred per month each there is no reason why such high pays be paid in a small Jagir like Poonch. Therefore the Wazir who is sent from here should get the same pay as he gets in the State.

WAZIR FEROZ CHAND (Wazir Poonch): Sir, my friend Lala Ram Lal would perhaps not have felt any necessity for moving this resolution if he had seen the reply that was given to one of his questions in the last sessions. That question asked as to the rate at which officers sent from here to Poonch receive their allowance in comparison with those officers who come here from British India. I gave a clear reply that ever since the State started sending its officers to Poonch, they have under no circumstances been paid a higher allowance than that received by British Indian lent officers. I should like to know the name of the Wazir who was getting five hundred rupees in Poonch.

A VOICE: Sheikh Rahim Bakhsh.

WAZIR FEROZ CHAND: He was getting only rupees two hundred under the British Indian Government. Five hundred was not a small sum as compared with that. But every Wazir who goes there now gets a salary of not

less than one thousand rupees. Not has anybody been getting less than a thousand previously. Moreover the Wazir of Poonch has been compared to the Wazir of Mirpur. Perhaps Pt. Sahib is not aware of the powers of the Wazir of Poonch. Even at rupees eleven hundred the Wazir of Poonch is a cheap bargain for Poonch. The Wazir Poonch works as the Revenue Minister, the Judge of the High Court, as Home Minister, and he has under his control all the Departments. The Wazir has to do a considerable amount of work. Files of all the cases come to him. If the High Court here decides twenty cases, the Wazir of Poonch also decides two or three cases.

There is another point which I want to submit. Sardar Dhian Singh stated that ever since officers have been sent from here to Poonch, no new roads have been built, nor has any particular improvement taken place. I would submit that even if the salary was only five hundred then ten thousand rupees were spent on the construction of two miles of road. As against this only thirty thousand rupees have been used in my time for the construction of forty-five miles of road.

PANDIT JIA LAL KILAM: Hear, hear.

WAZIR FEROZ CHAND: Places in which previously people could not even dream of moving in cars are now accessible to these vehicles. The expenses have not been more than a thousand rupees per mile. Another thing which I found on taking over was that cases pending for twenty-five years had not yet been decided. I may inform my friends that now we have got no case there which has been pending decision for more than the last six months. I challenge anyone to question this.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The resolution is not relating to any person. It only says that the pay should be reduced to ten per cent. There is nothing personal.

WAZIR FEROZ CHAND (Wazir Poonch): If the Kashmir Government grants allowance to its lent officers, why should Poonch also not grant the same allowance to those officers who are sent from here.

MIRZA M. A. BEG: Is there any comparison of qualifications? (Laughter)

WAZIR FEROZ CHAND (Wazir Poonch): If not, the Raja Sahib can select his officers there. There are not many lent officers there. Only recently a Chief Revenue Officer was appointed. But he had to be reverted. The

Sessions Judge has to work as District Magistarate too. Under these circumstances the allowance paid is not too much. The allowances are paid with the consent of Raja Sahib. With an allowance of only ten per cent. no officer will go there, nor can work be carried on.

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : Sir, I believe upto now the question of the proportion that should exist between various pays has not been taken up in Poonch, that is, whether salaries should be fixed according to the economic condition of Poonch or according to the wishes of the Poonch administration. I agree that it will be better if some proportion is fixed upon. I would therefore state on behalf of the Government that this will receive consideration, and a proper proportion will be set up. I have not had the chance of going to Poonch so far. But in my opinion an increase of ten per cent. only would not suffice in the case of an officer who is sent from Srinagar to Poonch. Thirty per cent. ought to be given. However I will not give any opinion about the fixation of proportion yet. But the Government will consider it, and I hope the resolution will be withdrawn now that this assurance has been given.

AFTER LUNCH.

LALA RAM LAL : Sir, I believed that my resolution is of such a nature that it would receive support from the Government. I have not in any way been convinced by the mild speech of the Hon'ble Revenue Minister about this resolution. But I can say that it has been acknowledged, on behalf of the Government that some principle should be observed in granting allowance. It is not proper that an officer who gets three hundred and forty-five rupees in the State should receive a salary of eight hundred in Poonch.

The Wazir Sahib has made this a personal case. My resolution does not ask that a particular officer should not receive an allowance of more than ten per cent. on his pay. What I want is that a principle should be established that no lent officer in Poonch can get an allowance of more than ten per cent. on his pay. Wazir Sahib has said that he has decided cases which had been pending for the last ten years. I would like to say that if there were cases which had been pending for the last ten years it was due to his predecessors in office. Wazir Sahib has further said that he has had a road prepared at a cost of thirty thousand rupees. The

only reason was that our budget was a satisfactory one and we had funds. I submitted at the beginning of my speech that we are under the Jammu and Kashmir Darbar. Otherwise we can get I. C. S. Officers from outside on a salary of Rs. 800. Wazir Sahib stated that no Wazir got a salary of less than five hundred in Poonch formerly. Mr. Rahim Bakhsh came from British India. He was getting a salary of four hundred rupees there and in Poonch he was given five hundred. Babu Brij Lal was getting eight hundred and fifty rupees in British India. In Poonch he was given one thousand and fifty. He was a very capable man. It is a matter for surprise that officers appointed to ordinary posts in the State should change at once when they enter Poonch and be supposed very capable. Can such officers not be appointed to such posts in the State?

I appeal to the House that the principle which I have placed before you, be not over-looked. It is being said that lent officers who come here from British India receive large salaries in the State. I would like to submit that Poonch is an Illaqa and a part of this State. It should not be treated so badly. It has been said that if lent officers to Poonch be granted an ordinary allowance no one would be willing to go there. I do not understand why in that case we should not import very capable officers from British India. We have to pay five hundred and one thousand to officers who get three to six hundred in the State. Our budget cannot bear this heavy burden. I would therefore crave for justice in this matter. With these words I close my speech and I hope the House will support my resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Gentlemen, votes will be taken now, and a new procedure will be adopted in this connection. You were used to vote by ballot till now. Many had objections against this, because it could not be known who had voted for or against a particular resolution. Votes are taken openly in British India. We too will copy that method here.

Two kinds of lists have been printed for this purpose. Names have been written in red on one list and in black on the other. The names of those who will support and vote for the motion will be ticked off on the red list. The names of those who oppose the resolution will be marked on the list printed in black letters. The names will then be counted.

There is another method too. Those who vote will stand and the possibility of the occurrence of a mistake

will be eliminated. The Secretary will go to each member and put a mark against his name. This method obtains in the Council of State in British India.

(Hear, hear from the Conference Benches.)

Those gentlemen who want to vote for it will please stand now.

LALA RAM LAL: Sir, may I request you to kindly state what procedure will be adopted with respect to those who want to remain neutral?

VOICES: They will keep sitting.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): All right. Those gentlemen who are in favour of the resolution will say "Aye".

(Voices of "Aye, Aye" were raised by the members.)

Now those gentlemen who are opposed to it will say "No".

(Voices of "No, No" were raised by the members.)

DEWAN BAHADUR N. GOPALA SWAMI AYYANGAR, C. I. E. (The Hon'ble the Prime Minister): Voice is sometimes very misleading. Of course, the President gives his impression of the voices, but if a division is wanted vote should be taken.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Our rules provide for voting in two ways "by voices and by division". If there be any doubt and a member wants a division, we can take votes by division too. If the President thinks that the voices "for" are more there is no need of a division, I will therefore adopt the first method. Those gentlemen who are for the resolution will say "Aye" now. If I think that the number of "Ayes" is more, I will declare it so.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI: If a gentleman repeats "Aye" twice, what will be done. (Laughter)

LALA SHIV NATH NANDA: This will cause a great inconvenience.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): But this is one of the methods provided in our rules. If the number of "Ayes" is more, I will declare so. We must try to put into practice the rules that are to be found in our books. If that method is not liked we will give it up.

LALA HANS RAJ: It is not proper to stand and to raise our voices like this.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It is not necessary to stand.

PANDIT LOKNATH SHARMA: Much time will be wasted in standing and voting in this manner. Chits according to ballot can be collected. Lists may later on be published from your office. This will be a better method.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Rule 25 says, "A matter requiring the decision of the Praja Sabha shall be brought forward by means of a question put by the President on a motion proposed by a member.

All questions for the decision of the Praja Sabha shall be decided by a vote.

Votes may be taken by voices or by division and shall be taken by division if any member so desires. The President shall determine the method of taking votes by voices or by division.

The result of a vote shall be announced by the President.

The announcement by the President of the result of voting by division shall not be challenged". We shall proceed according to the rules.

Those who are in favour of the resolution will say "Aye".

Voices of "Ayes" were raised.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Those who are against the resolution will say "No".

Voices of "No" were raised.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The Ayes have it.

DEWAN BAHADUR N. GOPALA SWAMI AYYANGAR: I request a division, Sir.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The Hon'ble Prime Minister claims a division. So a division will be taken.

Those who are in favour of the resolution will please stand up.

NOTE.—Members who were in favour of the resolution stood up and the Secretary went to them and reading their names marked the list.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Those who are against this resolution will please stand up.

NOTE.—Some members stood up and the Secretary called out their names one by one.

The House divided as below :—

Ayes ... 42 Noes. ... 16

1. L. Shiv Nath Nanda
2. S. Kanhaya Singh.
3. S. Dhian Singh.
4. Col. Abdur Rahman Khan
5. Pt. Ram Chandra Dobey.
6. Wazir Ganga Ram.
7. Sardar Hari Singh.
8. Lala Hans Raj.
9. Kotwal Lakhmi Ram.
10. L. Amar Nath Kohli.
11. Bakhshi Moti Ram.
12. Lala Ram Lal Vakil.
13. Kh. Saif Shah.
14. Kh. Sanaullah.
15. Raja Murawwat Khan.
16. Mr. Jagat Ram Aryan.
17. Mr. Lajpat Rai Sariyara.
18. Mr. Tobdan.
19. Wazir Mohammad Khan.
20. Sardar Mal Singh.
21. Munshi Assad Ullah, Advocate.
22. Pt. Lok Nath Sharma, Advocate.
23. Sheikh Abdul Hamid, Advocate.
24. Ch. Abbas Ali, Zaildar of Mirpur.
25. Ch. Abdulla, Zaildar of Ranbirsinghpura.
26. Kh. Abdur Rahim Bande.
27. Kh. Safdar Ali
28. Peer Hissam-ud-Din.
29. Moulvi Mohammad Abdullah.
30. Major Ata Mohammed.
31. Mian Ahmed Yar.
32. M. Afzal Beg.
33. Mr. G. M. Sadiq.
34. Mian Qurban Ahmed.

1. Dewan Bahadur N. Gopalswami Ayyangar.
2. Rao Bahadur Thakur Kartar Singh Ji.
3. Mr. K. N. Knox.
4. Sahibzada Sir Abdus Samad Khan.
5. K. B. Raja Mohammad Afzal Khan.
6. Wazir Feroz Chand.
7. Pt. Ram Nath Sharma.
8. Mr. Ghulam Ahmad Ashai.
9. Rai Bahadur Pt. A. N. Purbi.
10. Major General Janak Singh Ji.
11. K. B. Thakur Agha Syed Hussain.
12. Wazir Tej Ram.
13. Rai Ghulam Hussain.
14. Col. Sansar Singh Ji.
15. Rai Sahib Pt. Shyam Sunder Lal Dhar.
16. Major Thakur Prem Singh of Jandi.

35. Kh. Akbar Dar.
36. Kh. Ali Mohammed.
37. Kh. Ahmedullah Shahdad.
38. Syed Hussain Shah Jalali.
39. Kh. Ghulam Hussain Malik.
40. Kh. Ghulam Mohi-ud-Din.
41. Subedar Khan Mohammed Khan.
42. Ch. Abdul Karim.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The resolution is passed.

MR. M. A. BEG: By how many?

M. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): 42 for and 16 against.

Please read resolution No. 2 of Khawaja Akbar Dar.

NOTE.—The Assistant Secretary read out the following resolution of Khawaja Akbar Dar.

"This Praja Sabha recommends to the Council that one hand-pump be provided for each Patwar circle at present for extinguishing fire."

KHAWAJA AKBAR DAR: Sir, from the beginning Kashmir has been suffering destruction from fire. History shows that not a year has elapsed without its outbreak of fire The reason is that timber is mostly used in the construction of houses here. It may be asked why timber is mostly used in the construction of houses here. The following verses about Kashmiris by Khan Bahadur Mohammed Hussain Arif, a retired Judge of the Jammu and Kashmir High Court, gives an answer to this.

"In reality the condition of the Kashmiris is pitiable. Everytime they are to be found in the throes of some calamity. They are some times ruined by floods and at others by fire. Some times there is a famine, or cholera and at others there are earthquakes. If through fear of fire they build their houses of stone, earthquakes create cracks in all of them. If they build their houses of wood because of earthquakes, bazars and whole mohallas are reduced to ashes by fire."

In olden times there could be no prevention against fire. But a fire brigade was established in the time of the late Maharaja Pratap Singh. Different fire engines and motors were kept here. The result has been that while previously a fire would devour thousands of houses now hardly two or three are burnt at a time.

But fire brigades were established only in cities and towns. As a result only the towns people are safe from fires. The Government has made no arrangements for safeguarding the helpless and the oppressed villagers from the ravages of fire. These villagers fill two-thirds of the State treasuries. There are more outbreaks of fire in the villages than in the towns, as houses in villages are roofed with dry grass. If one house in a village catches fire the whole village is burnt down in a short time. The Government is aware of three such instances. In 1934 three hundred houses got burnt down in village Hajan, Tehsil Baramulla, and in 1935 and 1936, two hundred houses got burnt each time in village Phakarpora and village Khan Sahib in Tehsil Badgam. The number of villages in which five. ten, twenty and forty houses got burnt is exceedingly large. In the autum out-breaks of fire rage in Kashmir like an epidemic. The Government can claim that it provides timber at concession rates for construction purposes to those who suffer from fire in the villages. But can the Government tell us what use this timber at concession rates is to those who lose their houses, their property, corn and cattle and find themselves in want of even their daily bread. They sometimes lose their very lives and the lives of the members of their families because of these fires.

It is clear from the Census Report that eighty-five per cent. of the population in Kashmir lives in villages. Only fifteen per cent. are to be found in the towns. This means that arrangements for protection against fire outbreaks have been made only for fifteen per cent. of the people. The others have been overlooked. Recently the Rural Uplift Department has been established. But it is a pity, that so far this Department has taken no steps for prevention against outbreaks of fire. This was the primary duty of the Rural Uplift Department.

The Government spends lacs of rupees in combating epidemics, and the urban and rural population are the same to it. Is it not then the duty of the Government to save the rural inhabitants from this scourge?

I do not ask the Government to set up fire brigades in every village, as they have been set up in every town. I only want that the Government should supply a hand pump for extinguishing fires in each Patwar Halqa.

The villagers should be taught the method of using these pumps. This pump will remain in some central

place in the Halqa or in the biggest village there. There is no need of having firemen or any other employees in this connection. The villagers will themselves take care of it when they learn its use and its advantages. Only it will be necessary that one of the officers of the already established fire brigade should inspect these central places off and on. These pumps were used in Srinagar too previously. But since houses in the cities are very high the pumps did not prove useful. These pumps will, on the other hand, be of very great use in the villages, where usually houses do not consist of more than two storeys. I hope that the Government will not oppose this useful resolution on some pretext or the other.

MIAN QURBAN AHMED: I support the resolution moved by Khawaja Akbar Dar.

KHAWAJA GHULAM MOHIY-UD-DIN: Sir, I support, with a slight amendment, the resolution of my friend Khawaja Akbar Dar.

NOTE.—The hon'ble member began to read his written speech, but the Hon'ble President interrupted with the remarks.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Muker ji Kt.) : Please move your amendment first and then make your speech.

KHAWAJA GHULAM MOHY-UD-DIN: Sir, I propose the amendment that instead of the words "in every Patwar Halqa" the words "in every village" a hand pump be supplied be inserted.

I support Khawaja Akbar Dar's resolution with a slight amendment. Kashmir is notorious for its fires. A Persian poet has said:—

"Both water and fire are responsible for the prosperity and ruin of Kashmir".

Sir, it is an acknowledged fact that there are more outbreaks of fire in rural areas than in towns. In towns the roofs are either covered with tin or with earth. As against this in rural areas the roofs are covered with grass. As a result of this directly there is an outbreak of fire; it spreads and converts every thing to ashes. My esteemed friend Khawaja Akbar Dar has already cited some instances in point In the towns the Government has made adequate arrangements for the prevention of outbreaks of fire. But it is a pity that the Government has made no such arrangements for zamindars who contribute to fill the major portion of the treasuries of the State. The Government no doubt later on supplies these sufferers with timber at half rates for the construction of their houses. But timber alone cannot be the compensation for the zamindar's loss. The

property and corn of the zamindar are consumed by the flames. Moreover the zamindar has to buy bricks and other necessaries.

I shall recollect that awe inspiring sight and perhaps I will always recollect it, when in my capacity as a member of the Praja Sabha, I visited the villages of Khan Sahib and Phakarpora where many magnificent houses, boxes full of corn, and property, lay in heaps of ashes before me. The smoke was still rising from these heaps. I was sorry then and wished that there had been some appliance there so that the fire could not have become such a source of devastation.

I therefore strongly support the resolution with the amendment, that fire extinguishing hand pumps should be provided in every village instead of every "Patwar Halqa". It will not prove useful to have a pump in the Patwar Halqa alone. The roads in rural areas are uneven, and not good. It will be difficult, if not impossible, to carry a hand pump from village to village. I therefore end my speech and request the House that this important resolution be passed with the addition of this amendment.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does any gentleman desire to support this amendment?

MIRZA M. A. BEG : I support the amendment.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : According to Section 78 of the Rules of Business and Procedure we have to see whether the amendment or the original resolution should first be taken into consideration. I think the original motion shall be considered first. The amendment will be taken up next. Therefore if any member wants to speak on the original resolution he can do so.

LALA HANS RAJ : Sir, the painful curse of the loss of life and property due to fire has been on Kashmir for a long time. Many villages perish including all their property and many lines. No doubt fires are caused by the negligence of people too. They sleep with their Kangris (Fire-pots) in their beds in the winter. When sleep overcomes, the fire-pot gets overturned and all their property is devastated. Therefore human sympathy demands that some preventive measures should be adopted, so that the people may be rid of this curse. I therefore support this resolution.

LALA SHIV NATH NANDA : It seems you have proposed this for Kashmir only since the Kangri is used only there.

LALA HANS RAJ: Outbreaks of fire are most frequent in Kashmir villages only.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Nobody else is speaking now. Government will please give the reply.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI Finance Minister): Sir, there is no denying the fact that fire is a fury and it rages not only in towns but in the villages also. It destroys the corn, property and everything of the poor zamindar. The main reason, as stated by Lala Hans Raj is that the poor villagers, due to want of sufficient clothing in winter, have to make use of the Kangri. Later on a mere spark from it becomes the very pest of their lives due to the timber that is used. The overturning of a Kangri is the destruction of a house. Keeping these facts in view it seems impossible and impracticable to provide these amenities in rural areas also. If one hand pump is kept in one "Patwar Halqa" the inhabitants of other villages will not know about it at all. There are neither telephones nor telegraphs there. Undoubtedly the village in which a pump may be kept does stand to gain. It cannot be of any use in other villages.

KHAWAJA AKBAR DAR: When there is an outbreak of fire in Kashmir people from four or five villages collect in no time and suppress the flames.

RAO BAHADUR THAKUR KARTAR SINGH JI: In rural areas people do not live together, in large groups. If there is an outbreak of fire some where in the "Patwar Halqa" and word is sent for getting the pump all the village will have been consumed by flames in the meantime. I believe this resolution cannot benefit the people and will therefore not be useful.

Now the point is that money that may be needed for this purpose can be procured from the local fund. When the Panchayat is a success there can be no objection. At present it is impossible for the Government to supply a pump to every village. This amendment is therefore impossible. If local funds be available it will be a matter of pleasure. The Government will have no objection to that.

KHAWAJA GHULAM MOHAMMAD SADIQ: What funds will the Panchayat have so that it can put through this suggestion.

RAO BAHADUR THAKUR KARTAR SINGH JI: Their money, like the town areas.

KHAWAJA GHULAM MOHAMMAD SADIQ: I want to know what those funds will be.

RAO BAHADUR THAKUR KARTAR SINGH JI: The Town

Area Committees and village funds etc.

MIRZA M. A. BEG: Town Areas have nothing to do with villages.

RAO BAHADUR THAKUR KARTAR SINGH JI: Funds will be procured for villages as they are for Town Areas.

MIRZA M. A. BEG: Will the Government also help in this?

RAO BAHADUR THAKUR KARTAR SINGH JI: The Government is not prepared to give any help.

KHAWAJA AKBAR DAR: Will this money not be spent from the Sanitation Fund?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The Government is opposing it.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI: This scheme cannot be a success as long as some particular means are not ready at hand.

RAO BAHADUR THAKUR KARTAR SINGH JI: They can purchase these if they have got the necessary funds.

MIRZA M. A. BEG: Will the Government not supply any funds?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does any other member desire to speak? (Addressing Khawaja Ghulam Mohi-ud-Din) Do you want to say anything in reply?

KHAWAJA GHULAM MOHI-UD-DIN: We can have money from out of the Sanitation Fund. Khawaja Akbar Dar has stated that if there is an outbreak of fire in a Patwar Halqa, which is about twenty miles in extent, people collect atonce from four or five villages. If the Government make some arrangements at present, the villages can be benefited. No argument to the contrary has convinced me. It would be better if the Government maintains separate hand pumps in each Patwar Halqa.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGAR: May I just say a word or two on the resolution. I have not had much experience of the actual life of the villages either of Kashmir or of Jammu. So far as fire is concerned, I have been told that fire generally occurs during winter and it would certainly be desirable to provide people with some means by which they could fight it successfully. The only thing which I have to put before the House is the impracticability of this resolution which has also been pointed out by General Sahib just now.

So far as the spirit of the motion goes I have every sympathy with it but the question is whether it is possible to put the thing into practice. What is the nature of the hand pump? What is its efficiency and how much would it cost?

Are there men competent to handle it and is a hand pump really effective in extinguishing fires ? Is it possible for us to install a hand pump for each Patwar Circle or for each village as the amendment suggests ? The question of providing a hand pump for each Patwar Area may be dismissed at once as it is no use incurring expenditure which is not of practical use because the pump would not be available when it is wanted. The suggestion of providing a hand pump for each village is certainly worthy of consideration. On behalf of the Government I could only say that whenever there comes a request for the installation of a hand pump the Government will provide funds by way of contribution to help the locality ; but to give an assurance that funds wil be found at once for providing a pump for every village isl one which is too much for me to extend to the House. Th at is the position that we take so far as the Government are concerned.

LALA HANS RAJ : What has the Hon'ble Prime Minister said ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The position is this. There has been no opposition from the Government; nor has it been said that Khawaja Akbar Dar should withdraw the resolution. Now we can only take votes. Therefore those who are in favour of it will say "Aye" and those who are against it will say "No".

NOTE. –Voices of "Ayes' and "Noes" were raised.

LALA SHIV NATH NANDA : Hands should be raised. Proposals beneficial to the public are rejected.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Those who agree with this will please rais their hands.

NOTE. Hands were raised (:8).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Those who are against this will please raise their hands.

NOTE.—Hands were raised (20).

The resolution was passed by a majority of votes.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Does any member want to speak on the amendment ? The amendment reads "that hand pumps be supplied in every village" instead of "every Patwar area".

NOTE.—The amendment was withdrawn.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Now comes resolution No. 3 of Khawaja Ghulam Mohi-ud-Din.

NOTE.—The Assistant Secretary read out the following resolution.

"This Praja Sabha recommends to the Council that in the interests of public safety and convenience one Head Constable and four other constables be posted in the pastures every spring to prevent cattle-lifting. It would be the duty of these policemen to tour about in villages and pastures and

bring to the habitual cattle stealers in the grip of law."

KHAWAJA GHULAM MOHI-UD-DIN: Sir, Kashmir is an agricultural country. The livelihood of its people is dependent on agriculture and cattle are a necessity for agricultural purposes. That is why as compared to other places there is an abundance of cattle here. If any calamities, physical or otherwise, overtake the land produce, the Government is always seem to be keen on preventive measures. Similarly the Government has opened veterinary hospital for the improvement and safeguard of the cattle. Thousands of rupees are spent annually in the interests of the welfare of the cattle. What is the object of all this? It is only done for the convenience and betterment of the people. But inspite of all these protective and preventive measures of the Government the cattle of the zamindars is not safe. The Kashmiri zamindar is always anxious and perturbed on this score. The reasons are that in the mufassils of the Kashmir valley cattle-lifting is ever on the increase. A zamindar takes his cattle out to graze in some uncultivated part of the village land. If the zamindar gets careless in looking after his cattle they disappear. In spring the zamindars send out their cattle to pastures for grazing. There he puts the cattle in charge of some cowherds and pays them regularly. Inspite of all this care the number of cattle on return is not the same as was sent up. Cowherds are mostly cattle-lifters. People from other communities are also joining them now. Cattle-lifting is the means of living of these people. They are in organised groups and committees. Thy have great power in the rural areas. Apparently these people claim to be cowherds. In reality they are cattle-lifters. A cattle-lifter can remove a zamindar's horse from one end of the Kashmir valley to the other within twenty-four hours. A thief usually carries on his shoulders the article he steals, but the horse is the only one in that list which carries its lifter in one night from one end of the country to the other. The poor zamindars searches for the horse in the vicinity of his village or in the two or three neighbouring villages and is then silent. He then flatters these cattle-lifters. If they are moved or some other reasons impel them they return the horse after realising from its owner an amount equal to one-third of the price of the horse. They thus oblige the zamindar for the rest of his life. Otherwise they keep on making promises to the owner and finally evade him. If a zamindar makes a report to the Police on the loss of a horse the Police officer comes to the spot. He makes an investigation, which

continues for two or three days and then he returns unsuccessful. The zamindar has got to undergo a loss. As the saying goes "whatever is left by the thief becomes the property of the fortune-teller." If the Police officer be not well disposed the zamindar may be charged under Section 140 on the other hand. The statistics of cattle-lifting in Kashmir are as follows :—

Ponies.	Sheep.	Goats.	Cows and Oxen.
35 %	30 %	30 %	25 %

"Galawans" (cattle-lifters) live in same village of the Kashmir valley. But their helpers and abetters are to be found in every village. In many places they have established their strongholds. Many Lambardars, Safed-poshes and business men are in their secret and help them. If at any time, they got into the clutches of law, their Safed-posh and other respectable helpers placed their innocence and are responsible for their release. In short a cruel group keeps in readiness to destroy the poor and inarticulate zamindar. The Government has so far not shown any strength in suppressing this group. In order to save the zamindar from this calamity a man should be appointed in every tehsil to mark the horse. Every circle should have its register. In this the number of the cattle and the owner's name should be entered. When a horse dies or is sold entries should be made in the register. Cattle-lifters should be imprisoned for their first and second offence. If a cattle-lifter is arrested for the third time, he should be externed as has been done by the Government of Bombay in this connection. One Head constable and four constables should be kept in every tehsil for prevention of cattle-lifting. It will be their duty to tour in the rural areas and pastures and keep with in the bounds of law those who are known for cattle-lifting. With these words, having invited the attenion of the House, to this matter, I end my speech. I request the House to pass this resolution.

KHAWAJA ALI MOHAMMED: I support this resolution.

THE HON'BLE HOME MINISTER: The question of cattle-lifting is an important one. So far as the Police is concerned it is, as usual, doing all for its prevention.

It is not possible to place on duty four constables at some particular places, as asked by the resolution. Care is being taken everywher, and all possible arrangements are made.

KHAWAJA GHULAM MOHI-UD-DIN : I withdraw this resolution.

NOTE —The resolution was withdrawn with the permission of the House.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Muker Ji

Kt.): Resolution No. 4 of Mian Qurban Ahmed.

NOTE.—The Assistant Secretary read out the following resolution of Mian Qurban Ahmed:—

"This Praja Sabha recommends to the Council that a right of appeal be granted to persons whose State-subject certificates have been cancelled."

MIAN QURBAN AHMED : Sir, commissions were set up for examination of State-subject certificates. They had been granted full powers and they unjustly rejected many State-subject certificates. I will submit two or three instances to the House in this connection. Mr. Abdul Hamid was a Sub-Judge in Mirpur. When decision about his certificate was given, his objections were conceded and it was ordered in writing that since he no longer lived in the State, his State-subject certificate is cancelled. It is a pity that a man who starves but remains within the boundaries of the State can be called a State-subject, but when he goes out to earn his living, the State-subject certificate cannot continue.

There is another instance of a Hindu friend of mine. His brother was in service here and he was also employed here. His certificate was cancelled. The commission agreed that he had served the State for a period of forty years and retired at the age of seventy. Upto 1986 he would himself go to get his pension from the treasury. He has got his houses here. But his certificate was cancelled even then and the commission recorded that they would not give him a first class State-subject certificate. About myself I would submit that Lala Hans Raj saw my papers and declared them to be in order. But my State-subject certificate was cancelled in spite of that. The commission ought, on taking up the investigations, to have left it to the complainants to prove that a particular certificate was improperly issued. On the other hand the person in whose favour a State-subject certificate had been issued had to prove whether his certificate was valid or false. We raised a strong protest, but no one paid any heed to us. Those who had complained were not asked to adduce any proof against the defendants. The Government has granted a right of appeal in murder cases. One can appeal to the High Court. One can appeal to His Highness the Maharaja Bahadur. But in this case there is no appeal, though on 15th Baisakh in 1945 the Government issued an order that if a non-State-subject applies for purchase of land, he will be allowed to buy it and even given a preference. In spite of all that those people have not got any rights here now. The members of the Dogra Sabha accepted bribes and withdrew many State-subject certificates. They withdrew these certificates merely because they got

money. I can submit may instances

PANDIT JIA LAL KILAM: Point of order, Sir. No scandalous references can be made against anybody ?

MR. MOHAMMED AFZAL BEG: What is your point of order ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): I have heard it. He (Mian Qurban Ahmed) will withdraw these words.

MIAN QURBAN AHMED: With these words, I respectfully request that the right of appeal be granted.

MR. GHULAM MOHAMMED SADIQ: I support the resolution of Mian Qurban Ahmed.

SARDAR KANHAYA SINGH: Sir, the Government has brought the State-subject law on the Statute Book. The Government appointed a commission on account of the cry raised by an influential people. The commission examined all papers and a good deal of money was spent. Three commissions examined all papers and quite a deal of money was spent. Three commissions two in Jammu and one in Srinagar were set up. All records were examined. False certificates were cancelled. People who have no right in the State had also been granted certificates. The certificates of those who had come before 1942, were not concelled. Even people who live in British India have got these certificates. There is one Chanda Singh, an inhabitant of Baramulla who lives in Jhelum. His record shows that he lived in Jhelum. Yet he has got a State-subject certificate. Many certificates have been confirmed. Those which have been cancelled have been cancelled after due enquiry. I believe if we again challenge the validity of certificates and have them examined some more certificates will be cancelled. But that will be a source of great loss to the Government and great expenditure will have to be incurred. I would therefore say that this law is quite justified and necessary. Laws exist in every province and in every country by means of which the local residents are offered some protection.

I have got a recent example about Panjabis and others from outside which I will submit to the House. Master Tara Singh is a leading Sikh among forty lacs of Sikhs and the President of the Shrimoni Gurdwara Parbandhak Committee. He has said that these are means for protecting the inhabitants of every country and that the work of protection is important. Therefore the Government and people are quite justified in having enforced this law. Sardar Sahib says.....

NOTE—The speaker began to read an article from a newspaper.

SHEIKH ABDUL HAMID: Point of order, Sir. How can

Sardar Sahib read to us the proceedings of other places and tell us what happened there.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This objection is quite correct. I was myself thinking that some member ought to have raised a point of order now. (Addressing Sardar Kanhaya Singh) You cannot read from newspapers here. You can only mention the principle which has been written about there.

SARDAR KANHAYA SINGH: (Continuing his speech) Sardar Tara Singh has said that this law is quite just. If a person moreover, wants to seek a Rayatnama. he can do so. This law has been brought on the Statute Book only in the interests of the people so that thay can secure State service.

I therefore oppose this resolution. If it is treated sympathetically, it will be understood that there is no protection for the oppressed people of the State. Our trade and industries are already in the hands of outsiders.

SARDAR DHIAN SINGH: I want to invite the attention of the House to the fact that the law is still vogue:

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The only point at issue here is whether or not there should be an appeal.

SARDAR DHIAN SINGH: I am making the submission that no amendment is being made in the law. That question will be moved separately in the House. The only question is that the persons whose certificates have been cancelled are not satisfied with the decision of the commission should now be granted a right of appeal or not.

Many learned, capable and law-knowing gentlemen are present here. They understand very well the nicety of law. I do not understand why a person who wants to make an appeal should be denied the right of doing so. I therefore hope that all will consider this matter carefully.

PANDIT AMAR NATH KAK: Sir, the question before the House now is not whether the State-subject definition is correct or incorrect or again whether there has or has not been some harshness. The only point at issue is whether a right of appeal should be granted against decisions given by the Tribunal. Before this commission was set up, decisions with respect to certificates were given by the Wazirs-Wazarat and the Tehsildars. People disapproved of this method and complained that proper justice was not done to them either in the Tehsil or the Wazarat and that they did not receive justice. The number of certificates which had been challenged increased so much that His

Highness thought it fit to appoint a Tribunal of responsible and capable officers to decide the question of these certificates. It was therefore decided that one responsible officer from the Revenue and one from the Judicial Department should be the members of the Tribunal and decide the cases together.

VOICES: Of the Police and the Co-operative Departments.

PANDIT AMAR NATH KAK: So far as Kashmir is concerned two most efficient officers, one a District Magistrate and the other who held a post analogous to that of a District Judge were appointed for the purpose of this investigation. The officer of the Co-operative Department who has been referred to had worked for a considerable time as a Sub-Judge. He was taken on the commission because of the experience he had gained there. A Police Officer, Mr. Abdul Rashid has also been referred to. He has had great experience in investigating into and deciding matters. He was fit for this kind of work. So far as officers who were members of the commission are concerned they were all men of ability and understanding. When they were appointed not a voice was raised against them by the domiciled community or anyone else. It had been clearly announced on the establishment of this Tribunal that the decisions of these commissions would be final and that no right of appeal would be granted.

According to this announcement witnesses presented themselves regularly before the commission and had a complete enquiry made into their cases. Two competent officers after due investigation and enquiry have decided the question of these certificates. There is no reason why any one should now be granted the right of appeal against those decisions nor is there any reason to urge that after the lapse of two years opportunity should be granted to enable these people to get the previous decisions quashed through an appeal. If the right of citizenship is a civil right, Civil Courts are open to the public and everybody can claim the restoration of his rights. In these circumstances these people have got a way out and there is no need for complaint. If it is an executive matter I would submit that two of the best officers have jointly given these decisions and all investigations have been made There is no need to grant any more rights of redress. If this resolution is accepted it will contravene the announcement made by the Government. A demand of this nature is not founded on any principles. With these words I therefore oppose

this resolution.

PANDIT LOK NATH SHARMA: Sir, I want to submit only two points about the subject under discussion. In his speech Mr. Kak has discussed personalities and individuals. But I would submit that personalities and individuals were not at all brought into the discussion when the debate started. It is only a matter of principle and a principle was being discussed.

An individual wants to protect his right of citizenship because it is a question of his livelihood, of his business. If by mistake he is deprived of his right, it is a matter of principle that he should be granted a right of appeal. It is quite correct to say that to err is human. I would submit that people represented many times that they should be permitted to engage lawyers who would appear before the commission on their behalf. No-body paid any heed to them and this method was not adopted.

The other point that I want to submit is that when the commission started its work, it was already presumed, that all certificates which had been challenged were really false. The burden of proof therefore lay on those whose certificates had been challenged, though ordinarily it is the complainants who have got to prove whether or not a matter is correct.

When the Wazir Wazarat was the competent authority, the presumption naturally was that the certificate had been rightly issued. But it was quite the opposite here. Many people came to us and asked as to what kind of evidence and witnesses they ought to produce before the commission. The officers on the commission had told them that they did not know what kinds of proof they ought to submit.

Before the announcement, the practice was that if the Wazir-Wazarat did not issue the certificates in favour of a particular person, he could appeal to the Governor. If a decision was given against him even by the Governor, the power of hearing a revision petition was reserved to the Hon'ble Revenue Minister.

I would like to submit an instance in point, Sir. One Bakhu Mall lives in Jammu. The Governor refused to grant him a hereditary State-subject certificate. He filed a revision petition to the Revenue Minister. On account of some legal difficulty the Revenue Minister asked for the opinion of a division bench of the High Court. The High Court gave the ruling that it is not necessary to have property in order to secure a first class State-subject certificate. He was therefore given a certificate. I mean

to point out that if this person had not had the right of revision, his property, his children, his means of livelihood, would all have been affected.

Why do we request for a right of appeal? It is because a first class State-subject can have facility in securing contracts, he can secure a contract at a concession of five per cent. Similarly the aid that a first class State-subject can receive in trade, industry etc. cannot be extended to a B or C class State-subject. The A class is preferred to the C class in every branch of Industry. It can secure help under the Aid to Industries Regulation. It receives preference in services too. In Agriculture also A and B classes alone are helped. The C class can secure no such aid. If there is a famine or some other calamity, Taqqavi loans are advanced only to A class and not to the B and C classes.

Justice therefore demands that the right of appeal should be given to those whose State-subject certificates have been cancelled so that they can make their submissions to the Revenue Minister or before the High Court as the case may be and if facts show that there has been some injustice it may be removed. My learned friend Mr. Kak has stated that those who believe that there has been an injustice in their case have got a way of getting it removed. They can file a declaratory suit. I believe that he said so because he knows full well that it is a tedious procedure. I would submit that a notice of four months has to be given to the Hon'ble Judicial Minister in such a case. After four months one can file a suit. Court-fee has to be paid. Witnesses have to be produced. After this, the decision is given. This suggestion for granting a right of appeal has therefore been made to avoid a tedious procedure. Ordinarily such cases would go to the High Court and end in a division bench and this matter would be settled once for all. The people would then have no cause for complaint. In such cases to avoid tedious procedure an appeal on a two rupee stamped paper would be filed. The appellants would also be satisfied and all the doubts that are current about the commission of enquiry would be dispelled once for all. I am not concerned now with the point whether the decisions of the commissions were correct or incorrect, nor about the efficiency of the members of the commission nor how many of them were law-knowing men. I would submit that if we take the instance of some civilized country, particularly from amongst those where education is common in such matters, it will be found that the method there is quite different from ours.

In England the practice is that if a person supplies information about a Nationalization Certificate, the case is filed with a judge of the High Court and not with a Superintendent of Police as is the case here and only that a judge of the High Court can hear the case. This judge has a standing Judicial experience of twenty years. An investigation is then started according to the information supplied. Due enquiry is made into the certificate which had been issued. If on investigation the certificate turns out to be a correct one the Judge High Court confirms it by his decision. If the certificate be incorrect or is proved false the Secretary of State for India or a member of the Privy Council issues a notice against the person in whose name a certificate has been issued to show cause why his certificate should not be cancelled. If he gives sufficient reasons in support of his certificate it is retained. We have the quite opposite of this here. When the commission decides a case even though it may be wrong and there may be reasons against its acceptance the right of appeal is not given and it is not just.

I would moreover submit that in law provision has been made for the least important matters. If, for instance there is a suit worth about 200 or 250 rupees or a person is sentenced to a fine of 15 rupees by a Munsiff or Tehsildar he has yet the right of putting in his first appeal before the District Judge. Then he can prefer his second and third appeal before the High Court or the Revenue Minister. In some cases he can even file a fourth appeal to the Judicial Minister. A person has a right of appeal in the case of an ordinary sum of two hundred rupees or of a fine of fifteen rupees and he can have his grievances redressed. But if an Assistant Engineer, a Tehsildar or a Munsiff with a salary of three to four bundred rupees per month is turned out of the service he has no right of appeal which could satisfy him. In the case of a suit of an ordinary sum an appeal can lie to the District Judge or a revision application can be submitted to the High Court and after the revision a review application too can be filed. This is in fact such a method that an aggrieved person feels satisfied. I fail to understand why right of appeal should not be granted in the case of such an important matter. It is not my business now to reflect upon the legal capabilities of the respectable members of this commission or to discuss their merits, and talk about the decisions that they have given. But I would submit that a reasonable attitude should be adopted and this important matter should be

settled. I know that in these matters certain communities are excited as they find a State-subject question being raised. But it is important to consider how injured are the feelings of a person whose means of livelihood are snatched away from him and his State-subject certificate is cancelled. We should also consider what an adverse effect this has on public opinion.

LALA HANS RAJ: Sir, I think that this question has been carefully considered even before it was raised in this House. After consultation an intrigue has been set afoot to somehow take the corpse out of its grave. I do not want to say anything in opposition to this resolution. But I remember well how this question arose and how for our benefit it was brought on Statute Book. His Highness the Maharaja Bahadur discussed this question for a long time and after mature consideration the principles were laid down for the Committee and the question was referred to them after due consideration. For two years the matter remained under discussion and investigations were made and no omission occurred. Time was allowed for the producing of witnesses. People were given a good opportunity for adducing evidence. The certificates of some people have been cancelled. If they are now given the right of appeal it will be like taking dead bodies out of their graves and there will be the same confusion once again that prevailed before these committees had been set up. Much time will be wasted. People will be ruined. Thousands of rupees were spent in paying bribes last time and false certificates were secured.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The point under consideration now is whether an appeal should lie against the decisions of the commission. Nothing else need be discussed.

LALA HANS RAJ: I would submit that there should be no right of appeal, review or revision application.

MIRZA MOHAMMAD AFZAL BEG: Sir, after the speeches that have been made by one or two gentlemen here I did not feel any necessity of throwing any more light on this question. But it is necessary to reply briefly to the speech made by Mr. Kak. I think that during the course of discussion he could easily have avoided saying what he gave expression to. He could have discussed the subject from his point of view. He stated that the State appointed a Tribunal of the most competent men and according to him the right of appeal should not be granted in this case. Whatever may be his view point I do not agree with it. I think no one can deny that when a Judicial Tribunal gives a decision the aggrieved

party is not deprived of the right of appeal. Therefore it seems proper that people who have been affected by these decisions and who think that facts have not been duly considered and as a result a just decision has not been given should be granted the right of appeal. They should not be deprived of this right.

I think that those who are of the opinion that the rights of the State-subjects should be safeguarded in this manner are not justified. I would submit that it cannot be denied that if a person is deprived of his rights because of the wrong decision of a Judge he should be given an opportunity of getting that mistake rectified.

I would also add that as already stated by my learned friend Sardar Kanhaya Singh there are many cases in which decisions were not given after due consideration. Many certificates were confirmed which on proper investigation would certainly have been cancelled. Moreover the commission cancelled many certificates which were worthy of being confirmed. Every party should have the right of appeal in this matter. Our party does not agree with all that has been expressed by Mr. Sharma. As for instance the fact that the first class State-subjects receive preference under the Aid to Industries Regulation and for agriculture and in State services. Apart from these points I support this resolution. Every one should be granted the right of representing his case and of having wrong decisions set aside. I therefore support this resolution.

Lala Shiv Nath Nanda: Sir, my worthy friend has spoken briefly about his resolution in the Praja Sabha. As the time at my disposal is short, I do not want to make a long speech. I do not know why the Government is ignoring our rights. I cannot understand what mystery underlies this. However I would like to say that if a man knows that he is being unjustly treated, and he pleads for justice from the Government there is no reason why he should under no circumstances submit an appeal, though it is not difficult for the Government to deprive him of the right of appeal. I have got my doubts. My worthy friend Lala Hans Raj says that if the Government grants a right of appeal it will be a cause of danger to it. My friends are aware that the domiciled communities and other friends sent applications and telegrams in this connection. The ex-Prime Minister Colonel Colvin called me and asked me what the matter was and what we wanted. I remember well that I told him that since the members of the commission were not so capable, there were apprehensions of mis-

carriage of justice and justice demanded that, under such circumstances, wherever there be a likelihood of any injustice being done, it would be unjust to put impediments in the way of the right of appeal. The Hon'ble Prime Minister got the right of appeal recognized by the Council but latter on it is not known how these persons who are opposing the resolution now got that order cancelled. Though the Council had decided in favour of the right of appeal, I would submit that this right of appeal was granted in the case of only those certificates which were being investigated by the commission. My friend Sardar Kanhaya Singh referred to a newspaper article by Sardar Tara Singh. He said that State service is beggary. Since for State service one should be a first class State-subject, therefore these people do not attend to trade though trade also is a source of profit. They have not been advised to take to trade. The reason advanced was in fact an appeal by Sardar Sahib in our support, advising these people against opposition. I remember that the late Hon'ble Sir Barjor Dalal, a great man in the State and a very capable Judicial Minister and Chief Justice, whenever he made a mistake, would, on being convinced of it, atonce admit even in this House and would then rectify the mistake. When men like the late Sir Barjor could make mistakes I do not see how mistakes may not be committed by a commission whose members are police and military officers. It is quite an ordinary thing for such men to make a mistake. Many times news about the wrong decisions of the commission were published in the papers. My esteemed friend, the mover of the resolution, has moved a suitable resolution, It is the moral duty of the Government to take action against an injustice that may have done to people. I would submit to the Hon'ble Prime Minister that his justice is being talked of in every corner of the State. We are therefore confident that in this matter too he will find out some means of doing justice to the downtrodden and he will help the people in securing their right of appeal. My friend Pandit Lok Nath Sharma has rightly remarked that even in an ordinary law suit worth fifteen or twenty rupees, the unsuccessful party has a right of appeal. For those however who had been receiving a monthly salary of three to four hundred rupees and are deprived of their means of their livelihood for all their life, there is no right of appeal. This is not justice. My worthy friend General Sahib, also says that an aggrieved party should have the right of appeal. I have therefore to see what he has to say in support of this resolution. I do

not know why the Government is afraid. If some body has been unjustly treated there is no reason why his appeal may not be successful. The doors of the Government should remain open so that if any one is treated unjustly he may receive justice. I would strongly say that there should be an announcement from the Government in favour of our right of appeal. I therefore while supporting this resolution, request the members of the Praja Sabha to vote for this resolution and give a proof of their being the true representatives of the people.

COLONEL ABDUR RAHMAN: Sir, long speeches have already been made about the hereditary State-subject question. I will therefore speak only for a few minutes. Perhaps people are not aware how this matter has gone so far. A long time back a Council was set up. Non-State-subjects were all employed there. Youngmen cannot be aware of this.

LALA SHIV NATH NANDA : What is your age ?

COLONEL ABDUR RAHMAN : More than fifty years.

LALA SHIV NATH NANDA : I am fifty-one years of age.

COLONEL ABDUR RAHMAN : You are not honest. Had you been honest you would never have supported this resolution. (Laughter)

LALA SHIV NATH NANDA : Sir, I would submit that I have been called "dishonest".

KHAWAJA GHULAM MOHAMMED SADIQ : Sir, should an interruption be replied to by abuses.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : (Addressing Colonel Abdur Rahman) Have you called him dishonest ?

LALA SHIV NATH NANDA : Sir "dishonest" means "faithless" also.

COLONEL ABDUR RAHMAN : Sir, I have not said so.

SHEIKH ABDUL HAMID: I think the official reporters who are present ought to note that Colonel Sahib has not said so and that it was an error.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : No. I have heard it.

COLONEL ABDUR RAHMAN : (Continuing his speech) Thirty years ago in the time of His late Highness this question cropped up. After careful investigation it was then ordered that false certificates should not be issued. Outsiders held all the high offices then and they numbered hundreds. Their sons entered into State service after them. Therefore such hereditary State-subject certificates were issued without any investigation. I know of certificates

having been issued to people who have been residing in the State only since a short period.

SHEIKH ABDUL HAMID: You supplied information.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Please donot interrupt.

COLONAL ABDUR RAHMAN: After this the real subjects of the State, nor once or twice, but many times raised this question. When our Maharaja Bahadur (His Highness Sir Hari Singhji Bahadur) took over the reins of the State he ordered a fresh investigation into the question. The object was that justice be done to the real subjects of the State, there was to be no right of appeal under this order. If the right of appeal is granted now many appeals, as stated by Mian Qurban Ahmed, will be filed. The time of officers who are now doing other work will be wasted. (Laughter). It will also be a reflection on those officers who have already worked in this connection. It had already been decided that there will be no appeal. It was therefore that efficient and responsible officers were selected. Those gentlemen who have supported the resolution have already been granted certificates. Mr. Sharma has got a first class and Mian Qurban Ahmed a second class certificate.

MIAN QURBAN AHMED: You can have that too.

COLONAL ABDUR RAHMAN: I think no particular hardship has been done in the Jammu and Kashmir State only. Two or three of our highly educated men have returned from British India. They were not given any post there; their right of citizenship was not acknowledged there. This is true of Arabia, Germany, the Punjab and the rest of India.

WAZIR GANGA RAM: Sir, Pandit Amar Nath Kak has thrown a good deal of light on the question. The real point at issue is whether or not there should be a right of appeal. Mirza M. A. Beg did not say anything in this connection. I think Mr. Shiv Nath Nanda and Sheikh Abdul Hamid would never have agreed to a resolution that a right of appeal should be granted in cases in which State-subject certificates were wrongly confirmed. I therefore strongly oppose this resolution. Now the question is what the Government is going to do about this resolution. I think the Government which appointed these commissions must oppose it strongly.

SHEIKH ABDUL HAMID: Sir, the matter under discussion is an ordinary one and many gentlemen have spoken on it. I will take only a little time and place three or four points before the House. The first point is that if the Committee

has given its decisions ably, honestly and after hard work these cannot be amended; there is no reason why this resolution should be opposed. If twenty appeals are filed then there can be no danger. But so far as I am aware, I would submit that only one man was working on the commission, whether in Srinagar or in Jammu. The other member was a dummy. He would neither take down the evidence nor examine the files and without thinking he would sign the decision given by the other gentleman. I would therefore submit that the decisions given by the commissions, on which only one gentleman was working, should be subject to appeal, irrespective of the fact whether the members were or were not law-knowing men. I would submit that during the last agitation benches of the most efficient judges were set up in Srinagar, Mirpur, Nowshera and Jammu. After spending months on their work and with great labour they investigated into the cases. None of the judgments delivered by them sentenced any one to death. Some of the accused were only sentenced to imprisonment. But right of appeal was granted even then. Appeals were filed in the High Court and many acquitted. This is about those benches which consisted of the most efficient Judicial officers in the State. On the other hand on the State-subject Enquiry Commission only one man was working Therefore it seems quite unjust not to grant the right of appeal in this case. The cancellation of a certificate does not harm the one person only his progeny deprived of their rights. This is more cruel than murdering a man. I would submit that in the Punjab during the martial law days and now all had and still have hatred against the Rawlett Act. The reasons that the Act allowed neither Vakil nor appeal nor evidence. This is a black stain on the Imperial Government. Similarly in connection with the cancellation of the State-subject certificates here neither was a lawyer allowed to follow the case or produce evidence nor is there any right of appeal. If the right of appeal is not granted like the Punjab, our State too will acquire a black stain. Future generations will talk of these commissions as ones which admitted neither lawyers nor evidence nor allowed any appeals. I would therefore submit that if these decisions have been arrived at honestly there is no danger. Otherwise to remove this stain the right of appeal should be granted.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGAR: Sir, I do not wish to say much on this resolution, I only wish to make the position of the Government

clear on this subject. As I understand it, most of the members of the House are more familiar with the history of this question than I am. I gather that before these commissions were appointed, the practice was that local officers down to the rank of a Tehsildar used to grant the State-subject certificates; and if the Tehsildar was not a hereditary State-subject himself, the Wazir-Wazarat was competent to grant them, and again if the Wazir-Wazarat was also not a hereditary State-subject the Governor used to grant these.

It was found that a large number of these State-subject certificates had been granted on inadequate grounds and steps were taken to settle this matter finally and commissions were appointed, each commission having one Muslim and one Hindu member on it. The whole idea was that so far as the executive Government was concerned we should have some authority whose decisiom could be taken as final for determining the civil status of an individual. I quite appreciate all that has been said about people being denied the right of appeal from the decision of an administrative tribunal. I appreciate also the fact that in hard cases there should be a remedy for people who have a real grievance against a particular decision. But the real remedy need not necessarily lie in giving people the right of appeal to higher administrative tribunals. There is a sufficient remedy available in the fact that the grant or the refusal of a State-subject certificate really determines the civil status of a person residing within the State and any questioning of that status is a matter in respect of which he has the right to sue in a civil court. It has been said, the procedure of going to the civil courts involves much time, trouble and money. But supposing we give a right of appeal to the Revenue Minister or even to the Council, there is nothing which excludes the final decision of the Revenue Minister or the Council from being questioned in the civil court. The decision of the Minister or the Council cannot therefore be final unless you pass a law and say that the decision of Revenue Minister or the Council will be final. The purpose of constituting the commissions was to settle the question for administrative purposes and the right of a person to apply to a civil court was not affected. I think there can be no real grievance where a remedy does exist.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing Mian Qurban Ahmed) You have a right to reply.

MIAN QURBAN AHMED: Please take the votes now.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Those who are in favour of the resolution will please raise their hands.

(Hands were raised).

Those who are against the resolution will please raised their hands.

(Hands were raised)

Resolution lost by 35 votes to 21.

The House then adjourned till Wednesday the 29th September 1937.

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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

2ND DAY

(29th September 1937)

NON-OFFICIAL RESOLUTIONS

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



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JAMMU AND KASHMIR PRAJA SABHA.

Wednesday, the $\frac{\textit{29th September 1937.}}{\textit{14th Assuj 1994.}}$

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces, Srinagar at Eleven of the Clock.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the Chair.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Nobody has to take oath so we shall start business.

QUESTIONS AND ANSWERS.

64. MR. JAGAT RAM ARYAN : (*a*) Have Government issued to the officers who are authorised to accept declarations under the Press and Publication Regulation any instructions to the effect that security should be demanded from every person on the renewal of declaration ?

(*b*) If the reply be in the affirmative, it may be stated that when under the Press and Publication Regulation the officers have a right to use their discretion then why such instructions are issued to them ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Certain instructions were issued but these were confidential.

(*b*) The instructions were not intended to override the discretion conferred by the law on District Magistrates, but to guide the exercise of such discretion.

65. MR. JAGAT RAM ARYAN : Will Government please state: (*a*) Whether at the time of the preparation of white list, the circulation of the newspapers is also taken into consideration or not ?

(*b*) What is the minimum standard of circulation of those newspapers which are included in the white list at present ?

(*c*) Which out of all the weekly newspapers of the State has the widest circulation according to the present white list ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : Reference is invited to the reply given to Q. D. No. 3 on 27th September 1937 by the same member.

66. MR. JAGAT RAM ARYAN: Will the Hon'ble Revenue Minister please state as to how many appointments have been made by the present Governor Jammu from the date he took over the charge of his office upto the present date? What is the number of Rajputs, Brahmans, Khatries Mahajans, Sikhs and Harijans separately who were appointed on those posts and what are their educational qualifications? A statement showing the name of the person appointed, the date of his appointment, educational qualifications and the community he belongs to may kindly be placed on the table of the House?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): 95 posts fell vacant from the date the present Governor took over charge upto date. Out of these 39 posts were filled up by appointing Muslims, 24 by Rajputs, 11 by Brahmans, 6 by Khatries, 3 by Mahajans, 3 by Sikhs, 1 by Kashmiri Pandit and 8 by Harijans. As regards their educational qualifications it may be pointed out that one or two are graduate, 4 or 5 are F. A's. and the rest are either Matrics or have read up to that standard.

The required statement is attached herewith.

Statement of persons appointed by the present Governor from the time since he took over charge.

S. No.	Name.	Caste.	Date of appointment.
1.	S. Ghlam Shah ...	Muslim .	29 7 1991
2.	T. Bachitter Singh ...	H. Rajput ...	1 9 1991.
3.	T. Thakursingh ...	,,	22 9 1991.
4.	P. Vidaydhar ...	Brahman ...	3 10 1991.
5.	Mohammed Sarfrazkhan	Muslim ..	3 10 1991.
6.	Mohammed Husain Jural	,,	3 10 1991.
7.	Hassan Mohammed ..	,,	3 10 1991.
8.	Gian Chand	Mahajan ...	12 12 1991.
9.	Abdullakhan ...	Muslim ...	12 12 1991.
10.	Wazir Mohmmed Khan	,,	12 12 1991.
11.	Feroze-ud-Din ...	,,	12 12 1991.
12.	Abdul Aziz ...	,,	24 12 1991.
13.	Gopal Das ...	Khatri ...	29 12 1991.
14.	Abdullakhan ...	Muslim ...	32 2 1992.
15.	Mohammed Alam ...	,,	32 2 1992.
16.	Ghulam Resool ...	,,	26 1 1992.
17.	Shukar Mohammed ...	,,	27 1 1992.
18.	Hari Singh ..	H. Rajput ...	3 2 1992.
19.	Jamiat Singh ...	,,	7 2 1992.
20.	Ram Singh ...	,,	32 2 1992.

S. No.	Name.		Caste.		Date of appointment.		
21.	Bhagh Singh	...	H. Rajput	...	6	3	1992.
22.	Dharam Singh	...	,,		6	3	1992.
23.	Gulam Qadir	...	Muslim	...	6	3	1992.
24.	Sai'dullah	...	,,		6	3	1992.
25.	Isher Das Gupta	...	Mahajan	...	6	3	1992.
26.	Badri Nath	...	Brahman	...	18	3	1992.
27.	Ainchal Singh	...	H. Rajput	...	18	3	1992.
28.	Blwan Singh	...	,,		18	3	1992.
29.	Jagan Nath	...	Brahman	...	27	3	1992.
30.	Gahulam Rasool	...	Muslim	...	27	3	1992.
31.	Sulachhan Singh	...	H. Rajput	...	21	3	1992.
32.	Raj Mohammed	...	Muslim	...	1	5	1992.
33.	Chuni Lal	...	Khatri	...	2	5	1992.
34.	Miran Bux	...	Muslim	...	2	5	1992.
35.	Bhoori Singh	...	H. Rajput	...	2	5	1992.
36.	Trilok Singh	...	,,		20	5	1992.
37.	Khadim Hussain	...	Muslim	...	2	6	1992.
38.	Ratan Singh	...	H. Rajput	...	2	6	1992.
39.	Ghulam Azim	...	Muslim	...	2	6	1992.
40.	Kahan Singh	...	Sikh	...	20	7	1992.
41.	Latif Ahmed Shah	...	Muslim	...	20	7	1992.
42.	Bachitter Singh	...	H. Rajput	...	20	7	1992.
43.	Ghulam Nabi	...	Muslim	...	20	7	1992.
44.	Hasham Din	...	,,				
45.	Parmanand	...	Brahman	...			
46.	Nizam-ud-Din	...	Muslim	...	Maghar		1992.
47.	Gajai Singh	...	H. Rajput	...			
48.	Ghulam Mustfa	...	Muslim	...			
49.	Tulsi Ram	...	Brahman	...	9	9	1992.
50.	Prem Nath	...	H. Rajput	...	7	10	1992.
51.	Moh'd Yahiyah	...	Muslim	...	4	11	1992.
52.	Nasar-ud-Din	...	,,		1	12	1992.
53.	Kartar Singh	...	H. Rajput	...	2	12	1992.
54.	Abdul Ghani	...	Muslim	...	2	12	1992.
55.	Mani Ram	...	Brahman	...	9	1	1993.
56.	Mohan Lal	...	Khatri	...	2	2	1993.
57.	Ghulam Azim	...	Muslim	...	32	2	1993.
58.	Janardhan Singh	...	H. Rajput	...	32	2	1993.
59.	Karam Singh	...	,,		7	5	1993.
60.	Parduman Singh	...	,,		7	5	1993.
61.	Sarwanand	...	K. Pandit	...	12	5	1992.
62.	Bachitter Singh	...	H. Rajput	...	21	5	1992.
63.	Sarup Singh	...	,,		25	6	1993.

Statement of persons appointed by the present Governor from the time since he took over charge.

S. No.	Name.	Caste.	Date of appointment.
64.	Shiv Ram ...	Khatri ...	25 6 1993.
65.	Hans Raj ...	,,	25 6 1993.
66.	Thora Singh ...	H. Rajput ...	1 7 1993.
67.	Inayatullah	Muslim ...	1 8 1993.
68.	Mohammed Salim ...	,,	3 8 1993.
69.	Gharib Singh ...	H. Rajput ...	3 8 1993.
70.	Bhagat Ram ...	Harijan ...	3 8 1993.
71.	Kapoora ...	,, ...	3 8 1993.
72.	Baij Nath ...	Brahman ...	3 8 1993.
73.	Mohammed Yusaf ...	Muslim ...	Katik 1993.
74.	Ghulam Rasool		
75.	Maqbul Hussain ...		
76.	Mohammed Ibrahim ...		
77.	Mohammed Ghani ...		
78.	Mohammed Husain ...		
79.	Gulam Husain ...		
80.	Amar Nath ...	Brahman ...	Maghar 1993.
81.	Fazal Dad ...	Muslim ...	
82.	Tulsi Ram ...	Brahman ...	Phagan 1993.
83.	Bhag Singh ...	Sikh ...	
84.	Bhajan Singh ...	,, ...	
85.	Sultan Alamkhan ...	Muslim ..	
86.	Sain Das ...	Mahajan ...	6 2 1994.
87.	Baij Nath ...	Khatri ...	21 2 1994
88.	Jai Kishen ...	Brahman ...	22 1 1994.
89.	Prem Nath ...	,,	22 1 1994.
90 to 95.	6 Chaprasis ...	Harijan ...	....

Muslims	...	39
H. Rajputs	...	24
Brahmans	...	11
Khatris	...	6
Mahajans	...	3
Sikhs	...	3
K. Pandit	...	1
Harijans	...	8
Total	...	95

67. MR. JAGAT RAM ARYAN : Will the Hon'ble Revenue Minister please state as to how many employees have been dismissed, suspended or degraded by the present Governor of Jammu from the date he took over charge of his present post ? A statement showing the names, dates of the orders, reasons for and the caste of the persons so dismissed, suspended and degraded may kindly be placed on the table of the House ? The names, caste, educational qualifications of the persons who have been appointed in their place may also be stated therein ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : 142 employees of the Revenue Department have been either suspended, degraded or dismissed by the present Governor from the date he took over charge of his present post. Out of these 89 have been suspended, 24 degraded and 29 dismissed from Government service.

The required statement is attached herewith.

List of Revenue employees suspended, degraded and dismissed Bhadon 1994 by the

Serial No.	Name of persons suspended, degraded or dismissed.	Caste.	Date of order.
1	Ghulam Hussain, Wazifakhar Mirpur	Muslim.	29-6-1991
2	Paras Ram, Patwari Reasi ...	Brahman.	16-7-1991
3	Pt. Chailo Ram, Daroga Nazool ...	,,	29-7-1991
4	Raja Ram, Copyist ...	,,	29-7-1991
5	Angad Singh, Patwari Samba ...	Rajput.	30-7-1991
6	Bodh Raj, Mahasib Mirpur ...	Jaini.	3-9-1991
7	Parma Nand, Siahnavis Bhimber...	Brahman.	3-9-1991
8	Pt. Khoja Ram, Mahasib ...	,,	5-9-1991
9	Bodh Raj, Copyist Reasi ...	Khatri.	26-9-1991
10	Jarasand Pal, Patwari Jammu ...	Rajput.	26-9-1991
11	Paras Ram, Office Qanungo Reasi	Brahman.	27-9-1991
12	Mumtaz Ali, Moharrir Guzar Galak Tahsil Basohli.	Muslim.	27-9-1991
13	Trilok Chand, Peon ...	Brahman.	27-9-1991
14	Munshi Abdullah, Office Qanungo Ramnagar.	Muslim.	2-10-1991
15	Dharam Singh, Mcharrir Mal Reasi	Sikh.	29-10-1991
16	Ahmed Din, Patwari Bhimber ...	Muslim.	12-12-1991
17	Mohammed Hussain, Moharrir Mal Samba.	Muslim.	12-12-1991
18	Faqir-ud-Din, Patwari Kotli ...	,,	12-12-1991
19	Mani Ram, Patwari Ranbirsinghpura	Brahman.	15-12-1991
20	Munshi Ram, Wazifakhar Ramnagar	Mahajan.	39-12-1991
21	Gur Charan Das, Office Qanungo	Brahman.	5-1-1992
22	Amarnath, Office Qanungo Basohli	,,	5-1-1992
23	Santram, Wasilbaqinavis Samba ...	Rajput Thakkur.	7-1-1992

from the Government service from 1st Assuj 1991 upto end of present Governor of Jammu.

Nature of punishment.	Reasons.	Name of persons appointed.	Caste.
Suspended.	Bribery ...	Mangal Sain reduced hand.	.....
,,	Used to take Kar-begar from the Zamindars.	.....	.....
,,	Bribery.	Mani Ram ...	Khatri..
,,	,, ...	Jai Kishan .	Brahma
Dismissed.	Wrong entry in Wajib-ul-Arz.	Syed Ghulam Shah.	Muslimn
Suspended.	Bribery ...	.....	.....
,,	,, ...	.....	.....
,,	On account of interfering in the private affairs of the officers.	L. Bhola Nath...	Khatri.
,,	Bribery ...	.....	.....
,,	Complaint from Police.	.....	.....
Degraded.	For not making amal-dramad on the file.	Hukamdad Khan.	Muslim.
Suspended.	Helped in abduction case.	Munshi Ram candidate.	Hindu.
,, Degraded.	,, ...	Rasila ... L. Mani Ram clerk.	..... Khatri.
Suspended.	Complaint ...	.....	.....
,,	For not reporting about agitation.	Ram Lal reduced hand.	Khatri.
Degraded.	For engaging a copyist without proper sanction.	.....	.....
,,	Wrong entry in mutation.	Feroz Din ...	Muslim.
Dismissed.	,, ...	Syed Ullah ...	,,
,, Suspended.	,, ...	Jamiat Singh ...	Rajput.
,,	For not making amal-dramad in a mutation.	.....	.....
Degraded.	Non-realisation of contract money.	.....	.....

List of Revenue employees

Serials No.	Name of persons suspended, degraded or dismissed.	Caste.	Date of order.
24	Badrinath, Peon Governor's office	Brahman.	12-1-1992
25	Pitambar Nath, Girdawar Rajouri	,,	13-1-1992
26	Sohan Lal, Patwari Rajouri ...	,,	13-1-1992
27	Ramsaran Das, Moharrir Mal Akhnur	,,	15-1-1992
28	Tara Chand, Patwari Kishtwar ...	,,	31-1-1992
29	Sultan Ali, Patwari Tehsil Ranbir-singhpura.	Muslim.	31-1-1992
30	Bhagwan Das, Patwari ...	Khatri.	3-2-1992
31	Sansar Chand, Patwari ...	Brahman.	4-2-1992
32	Ahmed Khan, Patwari Bhimber ...	Muslim.	4-2-1992
33	Nihal Chand, Patwari Udhampur ..	Brahman.	4-2-1992
34	Nand Lal, Patwari Rajouri ...	,,	7-2-1992
35	Devi Das, Office Qanungo ...	Khatri.	10-2-1992
36	Dharam Singh, Moharrir Reasi ..	Sikh.	10-2-1992
37	Jamiat Ram, Patwari Bhadarwah...	Brahman.	10-2-1992
38	Devichand, Patwari Reasi ...	Khatri.	26-2-1992
39	Mohammed Shafi, Girdawar Samba	Muslim.	31-2-1992
40	Sarwanand, Patwari Reasi ...	Brahman.	32-2-1992
41	Sadhu Ram, Moharrir Kahcharai Rajouri.	Mahajan.	6-3-1992
42	Munshi Ram, Patwari Jasmergarh ...	Brahman.	6-3-1992
43	Khan Mohammed Khan, Patwari ...	Muslim.	26-3-1992
44	Ahmed Ali, Patwari Jammu ..	,,	4-2-1992
45	Sukhdev Nand, Patwari Rajouri ...	Brahman.	2-12-1991
46	Syed Shah, Girdawar Ranbirsing-pura.	Muslim.	27-3-1992

suspended, etc.—(*continued*).

Nature of punishmant.	Reasons.	Name of persons appointed.	Caste.
Dismissed.	Disobedience and disclosure of confidential secrets.	Hazara Singh ...	Rajput.
Degraded.	Attested report of Chil trees.	Jagan Nath ...	Brahman.
Dismissed.	„ ...	Ram Singh ...	Rajput.
Suspended.	Bribery	.....	.....
„	„ ...	Gobind Ram ...	
Dismissed.	„ ...	Parmananand reduced hand.	Brahman
Degraded.	Loss of a volume of Girdawari. ...	Badri Nath ...	„
„	Bribery ...	Chandu Lal Wazifakhar.	„
„	„ ...	Mian Khan ...	Muslim.
Suspended.	„ ...	Syed Ullah ...	„
Dismissed.	Non-payment of price to wine contractor.	Mohd. Alam ...	„
Suspended.	Non-entry in mutation.	.....	.....
Degraded.	Negligence to duty ..	.....	.....
Suspended.	Incorrect entry in Girdawari.	Ghulam Mohd.	Muslim.
„	Mutation entry.	.....	.....
„	Incorrect entry in mutation.	Ghulam-Muhi-ud-Din.	Muslim.
Dismissed.	Bribery, marriage and building house.	.....	.....
Suspended.	....., Bribery ...	Ghulam Azim.	Muslim.
Dismissed.	Punishment in judicial case.	Khadam Hussain.	„
„	Bribery ...	.....	.....
„	„ ...	Asgar Ali.	„
„	„ ...	Abdulla Khan.	„
Suspended.	Wrong entry in Girdawari.	.....	.....

List of Revenue employees

Serial No.	Name of persons suspended, degraded or dismissed.	Caste.	Date of order.
47	Chhaju Ram, Patwari Ranbirsingh-pura.	Brahman.	3-5-1982.
48	Ram Lal, Patwari ...	,,	1-4-1992
49	Faqir-ud-Din, Wazifakhar ...	Muslim.	1-4-1992
50	Amar Singh, Patwari Jammu ...	Rajput.	25-4-1992
51	Dina Nath, Wazifakhar Udhampur	Brahman.	23-4-1992
52	Lal Din, Moharrir Mal Bhadarwah	Muslim.	25-4-1992
53	Ralla Ram, Patwari Ranbirsingh-pura.	Khatri.	3-5-1992
54	Ram Lal, Patwari Jammu ...	Brahman.	3-5-1992
55	Niku Ram, Patwari Basohli ...	,,	19-5-1992
56	Shiv Ram, Clerk Revenue Assistant Jammu.	Khatri.	19-5-1992
57	Nihal Chand, Patwari Akhnur ...	Mahajan..	29--5-1992
58	Ahmed Ali, Patwari Bhajwal Tehsil Bhimber.	Muslim.	14--6-1992
59	Parab Singh, Patwari Kishtwar ...	Rajput.	14-6-1992
60	Rup Lal, Moharrir Mal Jammu	Brahman.	28-6-1992
61	Diwan Chand, Patwari Akhnur ...	Khatri.	31-6-1992
62	Hari Chand, Patwari Mirpur ...	Brahman.	21-7-1992
63	Pindi Das, Wasilbaqinavis ...	Khatri.	28-6-1992
64	Padam Nabh, ,, ...	Brahman.	28-6-1992
65	Ghulam Mohammed, Patwari temporary Kishtwar.	Muslim.	5-8-1992
66	Nand Lal, Patwari Bhimber ...	Brahman.	13-8-1992
67	Shiv Lal, Patwari Samba ...	,,	3-9-1992
68	Bachittar Singh, Patwari Udhampur	Rajput.	9-9-1992
69	Labhu Ram, Office Qanungo Basohli.	Brahman.	9-9-1992
70	Bishamber Nath, Patwari ...	,,	17-10-1992
71	Tej Ram, Clerk Revenue Assistant Reasi.	,,	8-11-1992
72	Mian Khan, Wazifakhar ...	Muslim.	9-11-1992

suspended, etc.—(*continued*).

Nature of punishment.	Reasons.		Name of persons appointed.	Caste.
Supended.	Wrong entry in Girdawari.	...	.....	.....
Degraded.	Bribery	...	Tirath Ram.	Brahman
Dismissed.	Absence	...	Bhag Singh.	Rajput.
Suspended.	Bribery	...	Mohd. Ramzan.	Muslim.
,,	,,	...	Atta Ulla.	,,
Degraded.	,,	...	.....	.....
Suspended.	,,	...	Gopal Das.	Khatri.
,, and degraded.	Creating disputed	...	Maghar Ram.	Harijan.
Suspended.	Bribery	...	Mohd. Shariff.	Muslim.
,,	,,	...	.....	.....
,,	,,	...	Brij Lal.	Brahman
,,	Illegal gratification	...	Gurmukh Singh.	Sikh.
,,	Loss of Aks Latha	...	Uddey Chand.	Brahman
,,	Bribery	...	.....	.....
,,	,,	...	Brij Lal.	Brahman
,,	Drinking in Parmandal		.....	.....
,,	Spoiling of Government record.		.....	.....
,,	,,	...	.....	.....
,,	Incorrect report	...	.....	.....
Degraded.	Applying direct	...	Sardar Khan.	Muslim.
Suspended.	Destruction of crop by mare.		Vaid But.	Kashmiri Pandit.
,,	Non recovery of Kahcharai.		Govind Ram.	,,
,,	Delay in pension case		Lal Chand.	Harijan.
,,	Bribery	...	.....	.....
Dismissed.	On account of filing suit against Wazir.		Karam Singh.	Rajput.
,,	Harassment with police aid.		Nasir Din.	Muslim.

List of Revenue employees

Serial No.	Name of persons suspended, degraded or dismissed.	Caste.	Date of order.
73	Rup Lal, Patwari Rajouri	Brahman.	13-7-1992
74	Ram Das, Patwari Samba ...	„	27-1-1993
75	Durga Datt, Patwari Reasi ...	„	4-2-1993
76	Mathra Dass, Patwari Jammu ...	Khatri.	13-2-1993
77	Gobind Sahai, „ „ ...	„	13-2-1993
78	Labhu Ram, Office Qanungo	Brahman,	14-2-1993
79	Anant Ram, Patwari Bhimber ...	„	14-2-1993
80	Bhim Sain, Girdawar ...	„	14-2-1993
81	Nathu Ram, Patwari Akhnur ...	„	18-2-1993
82	Gopal Das. Patwari Reasi ...	„	18-2-1993
83	Jagan Nath, „ Akhnur	„	18-2 1993
84	Shiv Ram, Clerk Wazarat Udhampur.	„	20-2-1993
85	Charag Din, Patwari Jasmergarh ...	Muslim.	24-2-1993
86	Lal Din, Bhimber ...	„	32-2-1993
87	Pt. Brij Narain, Head Clerk Mirpur	Brahman.	24-2-1993
88	Chandu Lal, Patwari ...	„	9-3-1993
89	Rup Lal, Moharrir Mal Jammu ..	„	9-3-1993
90	Amar Nath, Office Qanungo Samba	„	13-3-1993
91	Dwarka Nath, Patwari Bhimber ...	„	23-3-1993
92	Shah Nawaz, Patwari Jammu ...	Muslim.	17-3-1993
93	Paras Ram, Patwari Basohli	Brahman.	17-3-1993
94	Raghunath, Das Patwari ...	„	23-3-1993
95	Fazal Nabi, Girdawar Ramnagar ...	Muslim.	23-3-1993
96	Nand Lal, Patwari ...	Brahman.	2-4-1994
97	Syed Shah, Girdawar R. S. Pura ...	Muslim.	3-4-1994

suspended, etc.—(*continued*).

Nature of punishment.	Reasons.	Name of persons appointed.	Caste.
Dismissed.	Deceived Muslims in auction of a waste area.	Nand Lal dismissed patwari.	Brahman
Suspended.	Incorrect Girdawari entry.	Kehr Singh.	Rajput.
Dismissed.	Harassment with police aid.	Gopal Das.	,,
Suspended.	Nishan-dehi in owner's absence.	Thakur Singh.	,,
,,	,, ...	Griraj Singh.	,,
,,	Bribery and collecting subscription.	Mohd. Shaffi.	Muslim.
,,	Twice entering mutation.	.....	.....
,,	,, ...	.....	.....
,,	Bribery ...	Ram Charan.	Harijan.
,,	,, ...	Mehr Din.	Muslim.
,,	,, ...	Ghulam Nabi.	,,
,,	Loss of papers ...	Mohammed Din.	,,
Dismissed.	Punishment in a Criminal case.	Alaf Din.	,,
Suspended.	Elopement of woman.	Ghulam Nabi.	,,
Degraded.	Delay of Tamils ...	.....	.....
Suspended.	Incorrect entry in Khasra Girdawari.	.....	.....
,,	Bribery ...	.....	.....
,,	Insolence etc. ...	Th. Moti Singh.	Rajput.
Dismissed.	Punishment in a Criminal case.	Fazal Elahi degraded Girdawar.	Muslim.
Suspended.	Bribery.	Mohd. Hasham	Muslim.
Degraded.	Loss of Shajras.	.....	.....
Suspended.	Bribery.	.....	.....
,, & degraded.	Insolence.	Mohd. Aslam Khan.	Muslim.
Suspended.	Absence.	...	.....
,,	Giving possession against orders.	Ghulam Mustafa.	Muslim.

List of Revenue employees

Serial No.	Name of persons suspended, degraded or dismissed.	Caste.	Date of order.
98	Bhag Mal, Patwari R. S. Pura ...	Brahman.	3-4-1994
99	Kafiat Ali, Patwari Mirpur ...	Muslim.	14-4-1994
100	Najam-ud-Din, Patwari Basohli ...	,,	24-4-1994
101	Tirath Ram, Patwari Reasi ...	Brahman.	30-4-1994
102	Udhey Chand, Patwari Reasi ...	,,	30-4-1994
103	Ishar Das, Patwari Ramnagar ...	,,	32-4-1994
104	Rup Lal, Moharrir Mal Jammu ...	,,	17-6-1993
105	Nathu Ram, Girdawar Ramban ...	Khatri.	18-6-1993
106	Santokh Singh, Patwari Ramnagar ...	Rajput.	18-6-1993
107	Hans Raj, Patwari ...	Khatri.	22-6-1993
108	Sardar Khan, Patwari Kotli ...	Muslim.	25-6-1993
109	Peshori Lal, Naib Saddar Qanungo	Brahman.	14-7-1996
110	Madho Ram, Patwari Kishtwar ...	,,	21-7-1993
111	Kirpal Singh, Patwari Samba ...	Rajput.	3-8-1993
112	Dhani Ram, Patwari Reasi ...	Khatri.	3 8-1993
113	Labhu Ram, Office Qanungo Basohli	Brahman.	10-8-1993
114	Amar Nath, Office Qanungo (present Girdawar R. S. Pura).	,,	10-8-1993
115	Sadhu Ram, Girdawar Kotli ...	,,	11-8-1993
116	Prabh Dyal, clerk Wazarat Jammu	,,	12-8-1993
117	Bhagat Ram, Patwari Jasmergarh ...	Brahman.	13-8-1993
118	Jagat Ram, Patwari R. S. Pura ...	,,	20-8-1993
119	Ahmed Khan, Patwari Kotli ...	Muslim.	24-8-1993
120	Baij Nath, Patwari ...	Brahman.	2-9-1993
121	Anant Ram, Patwari ...	,,	8-9-1993
122	Mohammed Hussain, Office Qanungo Jammu.	Muslim.	16-9-1993

suspended, etc.—(*continued*).

Nature of punishment.	Reasons.	Name of persons appointed.	Caste.
Suspended.	Giving posse s s i o n against orders.	Ibrahim.	Muslim.
,,	Bribery.	Hasham Din.	,,
Degraded.	Bribery and misbehaviour.	.....	.....
Suspended.	Bribery.	Nazam-ud-Din.	Muslim.
,,	Absence.	Rup Singh.	Rajput.
,,	Bribery.	Faqir Chand.	Brahman
,,	,,	Bodh Raj.	,,
Degraded.	Attestation of wrong report.	Warayam Singh.	Rajput.
Dismissed.	Attestation of wrong report.	Nathu Ram degraded Girdawar.	Khatri
Suspended.	Bribery.	Ghulam Qadar.	Muslim.
Dismissed.	Wrong entry of caste in mutation.	Raja Ram.	Khatri
Degraded.	Delay in Tamils.	.....	.....
Dismissed.	Wrong entry in mutation.	Atta Ullah.	Muslim.
Suspended.	Bribery.	Vaid Butt.	Kashmiri Pandit.
Degraded.	Changing Kacharai bachh.	.....	.....
Suspended.	Non-entry of mutation.	.....	.....
,,	,,	.....	.....
,,	Delaying Tamils.	Mohd. Hasham.	Muslim.
,,	Bribery.	Piaru Ram Mahasha.	Harijan.
Suspended.	Entering Nautor mutation.	Mahatam Singh.	Rajput.
Dismissed.	Bribery.	Mohd. Yusaf.	Muslim.
Suspended.	Dishonesty and bribery.	Raj Mohd.	,,
,,	Mistake in burd-baramad File.	Barkat Ram.	Brahman.
,,	Bribery.	.....	.....
,,	,,	Hans Raj.	Khatri.

List of Revenue employees

Serial No.	Name of persons suspended, degraded or dismissed.	Caste.	Date of order.
123	Raghunath Dass, Patwari ...	Thakkar Rajput.	22-9-1993
124	Sohan Lal, Naib Saddar Qanungo Jammu.	Khatri.	14-9-1993
125	Bishamber Nath, Girdawar Akhnur	Brahman.	22-12-1993
126	Sardari Lal, Patwari Bhimber ...	Khatri.	26-12-1993
127	Dina Nath Girdawar Kahcharai Ramnagar.	Thakkar Rajput.	27-12-1993
128	Jawala Das, Patwari Ramban ...	Brahman.	9-1-1994.
129	Prabh Dyal, Clerk Wazarat Jammu	,,	31-1-1994
130	Sardu Ram, Patwari Jasmergarh ...	,,	1-2-1994
131	Parma Nand, Patwari Jammu ...	,,	22-2-1994
132	Gurdit Singh, Moharrir Mal Jammu	Sikh.	23-2-1994
133	Biswa Nath, Patwari Udhampur	Brahman.	23-2-1994.
134	Amar Singh, Patwari Ramnagar ...	Rajput.	26-2-1994
135	Natha Mal, Wazifakhar Rajouri ...	Brahman.	3-10-1991
136	Lal Shah, Patwari Rajouri ...	Muslim.	29-12-1991
137	Hans Raj, Nazir Wazarat Kathua ...	Brahman.	8-4-1992
138	Kidar Nath, clerk of this office ...	Khatri.	1-6-1993
139	Latif Shah Ahmad, Patwari R. S. Pura.	Muslim.	30-8-1993
140	Des Raj, Girdawar Tehsil Jammu ...	Khatri.	Bhadon 1994
141	Balak Ram, Nazir Wazarat Reasi ...	,,	Bhadon 1994.
142	Amar Nath, Siah Nawis ...	,,	Bhadon 1994.

suspended, etc.—(*concluded*).

Nature of punishment.	Reasons.	Name of persons appointed.	Caste.
Suspended.	Illegal recovery.	.....	.....
Degraded.	Making service Book entry doubtful.	Harbans Lal Patwari.	Sikh.
,,	Absence and non-compliance.	Paras Ram Girdawar Bhadarwah.	Brahman
Dismissed.	Cancellation of certificate.	Ghulam Hussain.	Muslim.
Suspended.	Embezzlement of State money.	Atta Ullah.	,,
Suspended.	Illegal gratification.	.....	.....
Degraded.	Sluggish work.	Sohan Lal.	Khatri.
Suspended.	Non entry in mutation.	Bhag Singh.	Rajput.
,,	,, ,,	Hari Chand.	Harijan
,,	Loss of file.	Nek Ram.	Khatri.
,,	Illegal connection with house owner's wife.	Mohd. Din.	Muslim.
,,	Police complaint.	.....	.....
Dismissed.	Absence.	Mohd. Hussain Jaral.	Muslim.
,,	Bribery.	Gopal Das.	Khatri.
,,	Embezzlement of Government money.	Thakur Balwan Singh.	Rajput.
,,	Cancellation of certificate.	Th. Saroop Singh.	,,
,,	,, ,,	Anait Ullah.	Muslim.
Suspended.	Participation in agitation.	Amar Nath Patwari.	Brahman
,,	,, ,,	Sardul Singh.	Rajput.
,,	,, ,,	Gopal Singh.	,,

Mr. JAGAT RAM ARYAN : The names of the persons appointed in their place have not been given in the reply.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (Governor Kashmir) : Those who have been appointed their names have been given.

68. MR. JAGAT RAM ARYAN : (*a*) Will Government please place on the table of the House the file which pertains to the character of Master Umer Hayat at Kishtwar ?

(*b*) Is it a fact that the then Tehsildar at Kishtwar wrote some remarks about the character of this teacher ? If the reply to (*b*) be in the affirmative what those remarks are ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) & (*b*) I am making an inquiry into the matter.

69. SUBEDAR KHAN MOHAMMED KHAN : In reply to Q. D. No. 289, Serial No. 278 of the last session, the Wazir Poonch on behalf of the Hon'ble Revenue Minister stated that the Chief Revenue Officer Poonch has been asked to improve the village road of Tatapani, Panjari upto Palandari and work will be started when the reply is received. If the reply be in the affirmative, it may be stated as to when the construction of this road will be started through the Revenue Department ?

WAZIR FEROZ CHAND (Wazir Poonch) : A sum of Rs. 300 has been sanctioned for repairs to this road and the Chief Revenue Officer has been asked to direct the Tahsildar concerned to get the road repaired under his special supervision.

70. SUBEDAR KHAN MOHAMMED KHAN : (*a*) In reply to Q. D. No. 292, Serial No. 280 of the last session, it was stated by the Wazir Poonch that a list of the Private Schools will be got prepared through the Chief Revenue Officer. If the reply be in the affirmative, the number of such Private Schools in Tehsil Sudhnuti and Bagh, and the villages in which they are located may kindly be stated ? What is the number of the boys and girls in each school separately ?

(*b*) It may also be stated as to what is the number of girls studying in the Government Primary Schools and what is the number of girl students studying in the girls school at Malot Tehsil Bagh ?

(*c*) Will these schools be included in the list of the Government Schools ? If not, the reasons therefor may be stated ?

WAZIR FEROZ CHAND : (*a*) Yes. The number of private Schools opened in the Sudhnuti and Bagh Tehsils is as under :—

Name of Tehsil.		Name of village.		Number of Scholars.
Sudhnuti	...	Nar Brahmanan	...	46
,,	...	Baryote	...	33
,,	...	Pothi Chhaprian	...	35
,,	...	Chhilar	...	15
,,	...	Naley	...	60
,,	...	Dhar Dharachh 50	...	100
,,	...	Siah 50		
,,	...	Dhingrun	...	20
,,	...	Ali Sojal	...	45
,,	...	Bhantini	...	*45
Bagh	...	Malote	...	†35
,,	...	Sangar	...	61
,,	...	Sahlian Dhundhan	...	44
,,	...	Hurna Maira	...	40
,,	...	Chamal Kote	...	25
,,	...	Manhasa	...	15
,,	...	Tain	...	87
,,	...	Nakkar	...	30
,,	...	Bhonth Bhayan	...	50
,,	...	Kharal Gayalan	...	20
,,	...	Dhal	...	54
,,	...	Kharal Maldiyalan	...	20
,,	...	Rerban	...	52
,,	...	Nar Sher Alikhan	...	40
,,	...	Kotehri Najam	...	25
,,	...	Chowki	...	15

*Gurmukhi Girls School. †Girls School.

(*b*) There is no Government Girls School. However there are four Aided Girls Schools, and the number of girls reading there is as follows : -

Name of School.	Number of Scholars.
1. Sri Rani Sahiba Dhami Putri Pathshalla.	184
2. Islamia Girls School ...	50
3. Gurmukhi Girls School, Poonch ...	37
4. ,, ,, Dharmsal Taroti ...	52

35 girls are reading in the Girls School at Malote.

(*c*) In view of financial stringency it is not possible to maintain any of the above private Schools at public expenses.

The Chief Educational Officer has, however, been asked to direct the Inspector of village Schools to inspect them regularly.

71. SUBEDAR KHAN MOHAMMED KHAN: (*a*) In reply to Q. D. No. 284 of the last session it was stated by the Hon'ble Finance Minister that exempting the spade (belcha) from customs duty as an agricultural implement will be taken into consideration?

(*b*) There is great necessity of crowbar (Sabbal), Belcha (spade), pick axe (Ganti) and turn screw (Badan) for improving the hilly and stony lands and making them fit for cultivation. These are the instruments which serve as the implements of husbandry to the zamindars because the poor zamindars can neither purchase nor bring those machines which have been entered as the agricultural implements and exempted from customs duty? If the reply to the above be in the affirmative, will the Government please exempt the aforementioned four instruments from customs duty? If not, the reasons for it may be stated.

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI: (Finance Minister): The matter has been referred for advice to the Customs Advisory Committee.

72. SUBEDAR KHAN MOHAMMED KHAN: The following are the village roads of Tehsil Bagh which were constructed at the time of Settlement: (*1*) Bagh ***via*** Atoli Pir to Poonch (*2*) Bagh to Sudhangali (*3*) Rawalkot to Kohala (*4*) Dhalkot Pattan to Rawalkot ***via*** Gala Bunir Khan.

The following are the village roads of Tehsil Sudhnati: (*1*) Sua to Rawalkot ***via*** Mang Rhara (*2*) Palandari ***via*** Pothi Mir Khan and from Kalakot to Raswalkot. K. B. Ch. Mohammed Din, ex-Wazir Poonch made arrangements for repairing these roads on an annual contract for Rs. 20 per mile and at that time their condition was better. If the reply to the above question be in the affirmative, will the Wazir Poonch reinforce the scheme of repairing these roads?

WAZIR FEROZ CHAND: The following Table will show the amounts sanctioned recently for the repairs of the village roads:

Name of Road.	Amount sanctioned.
	Rs.
(*i*) Bagh to Poonch ***via*** Atolipir ...	300
(*ii*) Bagh to Sudhan Galli ...	150
(*iii*) Rawalakote to Kohala ...	300
(*iv*) Tattapani to Palandri ...	300

The work of repairs to the road Bagh to Poonch ***via*** Atolipir has been completed. As regards the other two roads, work will be taken as soon as rainy season is over. The Chief Revenue Officer

has been directed to prepare a scheme for the annual repairs of the roads mentioned in the question.

73. SUBEDAR KHAN MOHAMMED KHAN : The Poonch authorities more than once gave assurance to the effect that with a view to inproving the lot of the zamindars a scholarship would be awarded to a zamindar boy and he will be sent to the Agricultural College Loyalpur. In the hope of securing this scholarship Mr. Mohammed Yadula Khan, son of Raja Ali Khan of the village Chhechhan Sudhnuti. has been admitted in the Agricultural College Loyalpur this year.

(*b*) Will the Wazir Poonch please oblige the zamindars of Poonch by awarding the said student a scholarship of Rs. 50 p. m. ?

WAZIR FEROZ CHAND : (*a*) No such assurance was ever given by the Administration. The Administration has no knowledge of Mr. Mohammed Yadula Khan's joining the Agriculture College, Lyallpur.

(*b*) In view of the above the question does not arise.

74. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide* question No. 844 Q. D. No. 699 dated 20th Assuj 1993 Srinagar Session).

(*a*) Will the Hon'ble Home Minister place on the table of the House a statement showing the number of High, Middle Lower Middle and Primary schools in every Tehsil of each District of Jammu Province ?

(*b*) If a deficiency is found in the number of above schools in Tehsils Rajouri and Reasi of Reasi District then will this deficiency by made up ? If not, why ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) The required statement is attached.

(*b*) Considering the number of Tehsils in the Reasi District there is no deficiency in the number of schools in this district. The question of opening a High school at Rajouri is under consideration.

Name of Tehsil.	High Schools.	Middle Schools.	Lower Middle Schools.	Primary Schools.
Jammu District :—				
Jammu	... 2+1 aided	1+1 aided.	3	38
Akhnur	... 1	1	1	27+1 aided.

Name of Tehsil.	High Schools.	Middle Schools.	Lower Middle Schools.	Primary Schools.
Ranbirsing Pura.	.....	2	3	25
Samba ...	1	1	2	25
Total ...	4+1 aided	5+1 aided.	9	115+1 aided.
Kathua District:—				
Kathua ...	1	.....	1	11+1 aided.
Basohli ...	.....	2	2	22
Jasmergarh ...	.....	1	1	17
Total ...	1	3	4	50+1 aided.
Mirpur District:—				
Mirpur ...		2	1	36
Bhimber ...	1	5+1 aided.	2	43
Kotli ...	.....	1	2	32
Total ...	2	8+1 aided.	5	111
Udhampur District:—				
Udhampur ...	1	.....	...	19
Ramnagar ...	.....	1	...	13
Ramban ...	.....	2	...	18
Kishtwar ...	1	.....	...	2+1 aided.
Bhadarwah ...	1	.....	...	12+1 aided.
Total ...	3	3	...	86+2 aided.
Reasi District:—				
Reasi ...	.....	2	1	24
Rajouri ...	.....	1	1	29
Total ...	.....	3	2	53
Grand Total ...	10+1 aided.	22+2 aided.	20	415+4 aided.

MAJOR MIRZA ATTA MOHAMMED KHAN: The name of the new school which will be opened has not been given.

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: High School will be opened.

MAJOR MIRZA ATTA MOHAMMED KHAN: The names of Primary Schools in the Reasi District is very low.

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: This will be considered.

75. MAJOR MIRZA ATTA MOHAMMED KHAN: *Vide question No. 249 Q. D. No 433 and question No. 840 Q. D. No. 698 (a)* Will Hon'ble the Revenue Minister please state whether Ailan 17 dated 25th February 1926 corresponding to 14th Phagan 1982 published in the Gazette was as under :

"In such villages where at present no area is entered as *Shamilat* Deh and where the common land adjacent to the villages is entered as *Khalsa*, will in future be entered as *Shamilat* Deh and the villages concerned will conjointly be granted all such rights which are enjoyed by them separately in their respective *Khatas*".

(*b*) Will it please be stated why has the said Ailan not been followed in practice so far and why was land granted from areas adjacent to the villages, on lease, as *Nautor* and as *Arak*? Did it not harm the rights of the villagers and was it not against the provisions of the Ailan? Were not the non-deserving people benefitted by it?

(*c*) Will it please be stated whether in the said Ailan the extent of the area is specified? If the answer to this be in the negative, then did His Highness the Maharaja Bahadur make an amendment in this Ailan? If the reply to this be in the affirmative, then why is the area specified?

(*d*) Does the Hon'ble Revenue Minister know that the *Khalsa* area is more than is needed by the villagers?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) Attention of the Praja Sabha Sad is invited to Ailan No. S-17 of 27th Bhadon 1984, which contains rules to regulate mutation of *Khalsa* waste as *Shamilat Deh* granted under Raj Tilak Boon No. 4. There is a limit prescribed for the grant of *Shamilats* upto cent per cent. *Nautors* and grants above this limit are dealt with under the Waste Land Rules. Government have no knowledge of any undeserving persons having been benefitted against the interests of the zamindars in any way.

(*c*) The extent of the area was specified subsequently in the rules sanctioned by His Highness.

(*d*) The extent of the area varies in different villages. The question is too general and can be definitely replied to if reference is given of a particular village or villages.

MAJOR MIRZA ATTA MOHAMMED KHAN: I have not got reply to my question which is being continuously asked during the past six sessions. In reply to my question 515 (Q. D. No. 494) Mr. Mehta had replied that this was already done at the time of demarcation of forests but the areas which were out of the boundary line of the forests have automatically been included in the boundary line of the villages. Then I invite your attention to Ailan No. 17.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You please ask the supplementary question.

MAJOR MIRZA ATTA MOHAMMED KHAN: I am not putting any new question. This is a promised question. When it will be solved then no new question will be asked. My submission is what reply was given by Mr. Mehta.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): What is your question ?

MAJOR MIRZA ATTA MOHAMMED KHAN: My question is why it has not been given a practical shape ?

THE HON'BLE MR. K. N. KNOX (Revenue Minister): Praja Sabha Sad Sahib please name out any village.

MAJOR MIRZA ATTA MOHAMMED KHAN: What about any village, this has not been done in the whole of the Reasi District.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: If any one is aggrieved, he can file an appeal.

76. MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide question No. 438 Q. D. No. 673 dated 20th Assuj 1993 Srinagar Session*). (*a*) Will the Hon'ble Revenue Minister please state what was the annual income before the forest demarcation from the sale of Cheel trees to the zamindars and Sahukars for every Tehsil in Mirpur Division ?

(*b*) Will it please be stated what has been the annual income per Tehsil from the sale of Cheel trees to the Sahukars and the zamindars from the time the practice of giving trees from the demarcated areas has been started ?

(*c*) If there has been a deficit in the income, then, will Government stop the practice of Chack Bandi where by both the Government and the people stand to lose ?

If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The information is not in the possession of Government.

(*b*) This information also is not available.

(*c*) Does not arise.

77. MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide question No. 610, Q. D. No. 682, dated 20th Assuj 1993, Srinagar Session*) Has the Hon'ble Revenue Minister provided funds for the construction of bridges on the Nallas Thanda Pani, Jamolo, Khandli, Anas,

Nihari, Dahaien and Dalhori of Tehsil Rajouri ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The construction of a bridge over Anas Nallah has been taken up by the Public Works Department. The question of the construction of bridges over other nallahs mentioned in the question will also be taken up by the Public Works Department.

78. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide question No. 494 Q. U. No. 674, dated 20th Assuj 1993, Srinagar Session*) (*a*) Does the Hon'ble Revenue Minister know that the zamindars start water-mills in their Maroos and proprietary lands that they pay Abiana for using the water of the Kuhl and that they pay land revenue also ?

(*b*) If the answer to part (*a*) be in the affirmative, it may please be stated why is revenue charged for the second time for using the Kuhl water, when a water-mill is started ?

(*c*) Will Hon'ble the Revenue Minister remit land revenue in favour of such people who run water-mills with the water of such Kuhls ? If not. why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) Assessment is made not on water but on the use to which it is put. As it is utilized for two separate purposes in the case. cited by the Praja Sabha, Abiana on water-mill is charged separately

(*c*) Does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN : Was any remission made when this Abiana was levied ? Was a note kept at the time of the settlement that when a water-mill will be started then a separate Abiana will be levied ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : This is a separate question.

MAJOR MIRZA ATTA MOHAMMED KHAN : Sir, when this is asked whether it is correct then why it is not finally settled ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : The answer has been given.

79. SARDAR KANHAYA SINGH : In reply to Q. D. No. 758 in 1936 Srinagar Session of the Praja Sabha the Hon'ble Revenue Minister stated that due consideration is being shown in order to maintain the present strength of the Sikh employees on the Gazetted posts ? Will the Government please state as to why the deserving Sikhs were ignored at the time of the retirement of Sardar Sohan Singh, Revenue Assistant when the Hon'ble Revenue Minister has himself admitted this in the Praja Sabha Hall ? It may be stated as to why it was done contrary to this ? Will the Government please do justice by appointing a deserving Sikh to the post of a Revenue Assistant ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Attention of the Praja Sabha Sad is invited to reply to Q. D. No. 250 of the last Session.

80. SARDAR KANHAYA SINGH : Will the Hon'ble Prime Minister please state as to what concessions the Government has granted to the Sikhs with regard to scholarships, education and service in the new regime and how many scholarships were granted to the Sikh students for foreign training ? It may please also be stated that what was the number of Sikhs on Gazetted and non-Gazetted posts in 1985 and what it is in 1994 ? If it is proved that the Sikh community is in fact being ignored then will Hon'ble the Prime Minister take practical steps at an early date to make up the deficiency of the Sikhs, so that the Sikh community which is most oppressed of all the communities in the State may be justly treated along with others ?

It may also be clearly stated what is the number of officials in every grade in the Secretariat and how many of them are Sikhs ? If the deficiency of the Sikhs be proved then will the Government please adopt practical measures to make good this deficiency and thereby please the Sikh community ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : Information asked for in this question is being collected and will be placed on the table of the House in due course.

81. SARDAR KANHAYA SINGH : Much time is spent on the completion of the pension cases of all those officials who retire from service and they have to undergo hardships and incur expenses in every department, especially the lower grade officials have to undergo good deal of troubles.

Will the Government please issue immediate orders to put an end to this trouble in future so that the retired officials may have facilities in this behalf ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Government have made special arrangements for the disposal of old pension cases and instructions have been issued for the prompt disposal of pension cases to Heads of offices, who are held personally responsible for their strict observance.

A copy of the instructions has been placed on the table of the Praja Sabha Sad.

Copy of a letter No. G. B./2832/Cir. dated the 28th July, 1937 from the Prime Minister, to the Finance Minister, Srinagar.

The attention of the Government has been drawn to the large number of pension cases pending in various offices some of which go as far back as 20 years and more. The serious hardship

caused to officers of Government after retirement by delay in the disposal of their pension cases, should be obvious, and the Government are anxious to take effective steps to stop these delays in future.

Special arrangements are being made for the disposal of the pending cases. For the future the following instructions are issued for the guidance of Heads of Offices who will be held personally responsible for their strict observance : —

(l) Article 284-A, Kashmir Service Regulations requires pension cases to be submitted to the Audit Office for verification of services six months before an officer's retirement. In the bulk of cases an officer retires on superannuation and his name is mentioned in the list required to be submitted to the Government and the Hon'ble Ministers by Article 288 Kashmir Service Regulation a year or more before the actual retirement. The preparation of pension cases should be taken up immediately this list is sent out. If the record of services is kept upto date as required by the rules, no difficulty should be felt in this matter. If, however, for any reason this record is not upto date or complete, it should be completed atonce in the following respects :—

(*a*) It should be seen that the service book gives a complete and continuous record. If there is any break action should be taken under Article 289 and paras 5-9 of Appendix IX (*b*) Kashmir Service Regulation, for the verification of that period.

(*l*) It should also be seen, in case service at the beginning was officiating or S. P. T. whether it was in a clear vacancy or only in a temporary vacancy caused by leave or deputation. Full information on these points should be given in the report.

(*c*) Similar information is necessary for the last 3 years of service as the Audit Office has to determine whether substantive pay, or officiating and S. P. T. has been taken into account for purpose of average emoluments.

2. The case will be returned by the Audit office within a month of its receipt with full instructions for the preparation of the final application for pension. This will leave 5 clear months to the Head of the Office for completing the case in all respects and its immediate submission to the Audit Office on the Officer's retirement. The Audit Office will send the application with its report to the sanctioning authority within a fortnight of the receipt of the application. The sanctioning authority should not take more than a fortnight in communicating sanction to the grant of pension to the Audit Office for issue of the pension payment orders.

3. The following points require attention at the time of sending pension applications :—

(*a*) In case of suspension or dismissal followed by re-

instatement a copy of the actual orders passed at the time should be attached to the application.

(*b*) Absence without permission should be regularised as leave without pay, copy of the orders being attached.

(*c*) For appointment after the age of 30 a copy of the supporting orders should be attached.

(*d*) The Officer's last pay certificate; specimen signatures in duplicate; memo of average emoluments; and certificate as to non-receipt of any pension or gratuity previously should be attached to the application.

(*e*) In the case of compensation pension the reasons which made it impossible to provide a suitable employment for the official in terms of Article 208 Kashmir Service Regulation should be stated opposite the 4th entry on the 3rd page of pension application, and a memo showing the saving effected by abolition of the appointment in terms of article 210 Kashmir Service Regulation attached to the pension case.

(*f*) In the case of invalid pension a medical certificate in the form prescribed by Article 219 Kashmir Service Regulation should accompany the papers.

4. Special care will have to be taken in the case of invalid or retiring pension. The Officer will generally give sufficient notice in the case of retiring pension for the preparation of papers beforehand which should be undertaken on the above lines. For invalid pension the case may have to be prepared at short notice. In this case also, however, difficulty can arise only if the record of services is not in proper order. All Heads of Offices, therefore, should make it a point to keep this record upto date. Service Books are maintained for all officers whether in superior or inferior service. These service books should be brought upto date every month by the Head of Office and if the books are actually in the custody of a subordinate officer, the Head of Office should get a monthly report of their having been posted upto date. All service books in hand should be examined to see that they give a complete and continuous record and action taken beforehand to fill up gaps where any exist.

5. To ensure proper watch being kept in future on the disposal of pension cases, all Heads of Departments should send to their Ministers monthly statements in the following form which will be submitted to the Prime Minister by the Ministers with their review. The monthly statement should reach the Ministers not later than the 10th of the following month and the Ministers' review should reach the Prime Minister not later than the 20th.

FORM.

1. No. of cases pending at the beginning of the month pertaining to the year :—			
,,	...	.....	
,,	...	.....	.....
,,	...	.....	.....
Add cases originating in the month ...		.....	.....
Total	..	.....	.....
No. disposed of during the month ...		.....	.....
Balance	...	.....	.....
2. No. of retirements expected during the next 6 months	...	.....	.....
No. of cases referred to the Accountant-General for verification of service	...	.....	.....
Balance	...	.....	.....

82. SARDAR KANHAYA SINGH : Is it a fact that the number of visitors in Kashmir is increasing year by year which is the cause of the prosperity of the country and many visitors go to far off places to visit the forests where they have no place of shelter except the quarters of the Forest Department to protect themselves against rain or snow. Will the Government allow the visitors to stay in the quarters of the Forest Department free of charges so that they may not have this inconvenience.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Government is not prepared to allow the free use of rest houses to visitors.

83. SARDAR KANHAYA SINGH: It is fact that a deputation of the Zaildars of Baramula drew the attention of the Hon ble Revenue Minister while he was on tour to Gulmarg Tehsil towards the miserable condition of certain villages of Tehsil Baramulla brought about by the severe drought this year ?

If the answer be in the affirmative, then are Government prepared to exempt the land revenue in such villages where there has been a damage on account of "Khushkimar" so that the zamindars may easily maintain their family and their cattle ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KZHAN ? (On behalf of the Hon'ble Revenue Minister): *1st part.*—Not as far as the Revenue Minister recollects.

2nd part—It has been reported that *Rabbi* crop of 1994 in Tehsil Baramulla had received no damage by drought. Any damage to *Kharif* crop by drought, if and when reported will be dealt with under the rules.

SARDAR KANHAYA SINGH: Sir, I have not got reply to one question of mine.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): What is that question?

MR. GHULAM MOHAMMED SADIQ: 79.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The answer of question No. 79 has been read.

84. WAZIR MOHAMMED KHAN OF ASTORE: According to my resolution the Government undertook to send some Military from Kashmir for the protection of Astore and Bunji Are Government prepared to recruit local men as scouts? Saving thereby the expenditures of the Military in coming and going and benefitting the local person?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Troops are posted at Bunji and Astore from the very beginning and their withdrawal is undesirable.

Second part—No.

85. WAZIR MOHAMMED KHAN OF ASTORE: The poor and other persons of the *Illaqa* of Astore and Bunji come down to Kashmir in search of employment. But if any of them has any hope to get employment he is put to great trouble in securing State subject certificate. Will Government issue orders to the effect that the certificate of the Praja Sabha Sad may be deemed sufficient?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): The Government are not prepared to issue the orders suggested.

86. MIAN QURBAN AHMED: (*b*) Is it a fact that Munsh Sardar Khan, Naib-Tehsildar has been reverted because he has no passed the Law Examination? Is the judicial training essential in the case of forest demarcation work?

(*b*) Is there any non-Muslim Girdawar working on this post?

(*c*) Is it a fact that the substantive post of Munshi Sardar Khan was in the Hon'ble Revenue Minister's Office but when he was appointed in the Muhafiz Khana a non-Muslim was appointed in his place?

(*d*) Is it a fact that Munshi Sardar Khan was called back simply because Pt. Hirji Lal a Clerk in the Governor's Office was appointed in his place and he was transferred to the Frontier only for his getting himself confirmed?

(*e*) Is he an approved candidate of Naib-Tehsildarship?

(*f*) Was it remarked on his application by the late Hon'ble

Revenue Minister (Mr. V. N. Mehta) that he could appear in the examination but he will not be taken for Naib-Tehsildarship ?

(g) If the answer to the above parts be in the affirmative, will the Hon'ble Revenue Minister state reasons for this by consulting the files before giving the reply to this question ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) *1st part.* –Yes

2nd part.—No

(*b*) Yes.

(*c*) Yes.

(*d*) No.

(*e*) No.

(*f*) No.

(*g*) The question does not arise.

87. MIAN QURBAN AHMED : (*a*) Is it a fact that Padam Nabh, Ahlmed of the Hon'ble Revenue Minister's Office has been transferred in the Governor's office and the post thus vacated was filled by appointing Jaswant Singh who was sent for from Jammu Wazarat ?

(*b*) Is it also a fact that on the death of Tota Koul Ahlmad in the office of the Hon'ble Revenue Minister Nand Lal was taken in this place ?

(*c*) Who was appointed on the post vacated by Nand Lal ?

(*d*) Were not the rights of the Muslim candidates of Kashmir ignored in this way ? If so, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes

(*b*) Yes.

(*c*) Th. Dhani Ram.

(*d*) No.

88. MIAN QURBAN AHMED : (*a*) Is it a fact that upto the year 1932 there was only one Muslim amongst the four Superintendents in the Office of the Hon'ble Revenue Minister ?

(*b*) Was he posted in place of Chawdri Faiz Ullah ?

(*c*) Why a non-Muslim was appointed in the post vacated by him ? Reasons may please be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : (On behalf of the Hon'ble Revenue Minister) : (*a*) Before 1932, there were only three Superintendents in the Revenue Office of whom one was a Muslim.

(*b*) Yes.

(*c*) The posts of Superintendents are filled up by experienced and competent hands with due regard to seniority. As no suitable Muslim was available to fill up the post at that time, it was given to a non-Muslim.

89. MIAN QURBAN AHMED : Is it a fact that Lala

Charanjit Lal was appointed Grazing Inspector ? Was a non-Muslim appointed in his stead ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Yes.

90. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state how many times the Assistant Governor of Jammu went on tour during the last four years and what places were inspected by him ?

(*b*) If the answer to this be that he has been on tour to Batote two times during the last four months, will the Hon'ble Revenue Minister please state what was the particular necessity of touring Batote during the last four months ? Why other places were not visited by him ? What work did he do during his tour to Batote ? Details may please be supplied ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) it is not possible for the Assistant Governor to tour often, but whenever required he is sent out. During the last four years no Assistant Governor went on tour.

(*b*) The Governor considering the present Assitant Governor as the best person for this work and there was no separate Nazool Officer at that time and the charge of the Nazool Officer being with him, asked him to collect data for Nazool schemes of Udhampur, Batote and Ramban. Accordingly the Assistant Governor first went in Maghar 1993 to Ramban and after working out the preliminaries of Nazool scheme at Ramban came to Batote and then to Udhampur. Again in end of Jeth 1994 he had to go Batote in connection with the furtherance of Batote scheme as the preliminaries had been worked out by him.

91. SARDAR HARI SINGH: Will Government please state the number, at present, of the Sikhs, Hindus and Muslims amongst the following employees of the Sericulture Department.

Sentries, Nigran, Time Keeper, Sub-Inspectors, head Inspectors, Mulberry Assistants and Line Officers.

If the percentage of the Sikhs in this Department be equal to nil, are Government prepared to make up this deficiency ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister).

Designation.	*Kashmir Sericulture.*			*Jammu Sericulture.*		
	Muslims.	Hindus.	Sikhs.	Mulisms.	Hindus.	Skhs.
Sentries ...	44	12	12	2	11	...
Nigrans ...	18	25	...	1	3	...
Time Keepers ...	2	8	...	...	2	...
Sub-Inspectors ...	4	9	...	...	2	...
Head Inspectors ...	4	5	...	...	1	...
Mulberry Assistants ...	3	4	...	1	8	...
Sericulture Assistant ...	2	3	...	...	...	...
Line Officers (Filature Inspectors) ...	...	...	...	1	1	...
Peons ...	6	10	1	...	...	...
Malis ...	13	3	2	...	...	...

The percentage of Sikhs in Kashmir Sericulture works out to 7.9 per cent. As regards Jammu Sericulture, the question of the representation of Sikhs will be duly kept in view. A Sikh has recently been appointed in Jammu Sericulture.

SARDAR HARI SINGH: The eight per cent. which has been stated is wrong, it is four per cent. and this percentage even is of those Sikhs who are only Sentries getting very low salaries.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt:) This is a discussion. The answer to the question has been given.

SARDAR HARI SINGH: My submission is that it is four per cent. and not eight per cent. as has been stated.

SABDAR KANHAYA SINGH: What is the pay of the post which has recently been filled up?

HON'BLE MR. K N. KNOX: This is not known.

SARDAR HARI SINGH: I mean that the proportion is four per cent. and the question is are the Government prepared to make up this deficiency?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This has been answered.

SARDAR DHIAN SINGH: Will consideration be given in other departments as well?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This has been replied in the 2nd part.

NOTE.—The Hon'ble President read its answer.

92. CHAUDHARI ABDULLA KHAN: The Rakh of Budhyal Brahman abounds in wild beasts who, every now and then are laying waste the fields of the zamindars of the adjoining villages and the poor zamindars who work hard during the day cannot enjoy sleep even at night which is afftecing their health adversely. Thus inspite of uudergoing these worries it is seldom that they succeed with the result that the zamindars are experiencing great difficulty in earning their livelihood and paying land revenue to the Government. Representations and requests have been made even before this but the officers concerned have not yet done anything in this behalf. Will Government, in view of the increasing difficulties of the zamindars make suitable arrangements? If not why not?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Ways and means to provide safeguards against the ravages of wild animals are being explored and the matter is under correspondence.

CHAUDHARI ABDULLA KHAN: How long will it take to give it a practical shape and will the revenue be remitted or not of the villages which have suffered loss uptil now?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) (Addressing to Hon'ble Revenue Minister): How much time will it take and whether the damage thus caused in the villages be compensated or not?

HON BLE MR. K. N. KNOX: This will be done after settlement but if there is any particular case, it will be enquired.

CHAUDHARI ABDULLA KHAN: When will it be done?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This has been replied.

93. CHAUDHARI ABDULLA KHAN: All the standards of weights and measures etc., are fixed and the keeping of false weights and measures is a crime; but the measures like Pais and Dharopas used by the zamindars for estimating the quantity of their grains are different in different *Ilaqas*, in as much as the shopkeepers have got different measures and weights for buying and selling? Do Government consider the advisability of fixing some standards for these weights and measures? If not why not?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): I agree that the fixation of standard weights and measures is desirable. But there are difficulties in getting agreement on the weights and measures to be fixed, and on enforcing orders. It has not been enforced yet in British India, and distances and undeveloped communication are special difficulties in Kashmir.

CHAUDHARI ABDULLA KHAN: Will the shopkeepers be entitled to have different measures and weights for buying and selling?

MR. PRESIDENT (The Hon'ble Sir Lal Gopai Mukerji Kt.) : The answer has been given. Everyody likes his own weights and measures.

94. CHAUDHARI ABDULLA KHAN : It is quite evident that the Patwaris charge a very high remuneration from the zamindars for preparing "Fard" of their immovable property meant to be mortgaged or sold which makes the zamindars run into debts. Are Government prepared to take some practical steps for putting a stop to this evil practice among the Government employees ? If not, why not ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The Patwaris are competent to charge fee for "Fard Intikhab" under copying fee rules. Any particular case of infringement of the rules, if brought to notice can be dealt with suitably.

CHAUDHARI ABDULLA KHAN : Numerous applications have been submitted to this effect. The question is that they should be punished for receiving bribes. Have the complaints not been filed in the Tehsils and Wazartsthat the Patwaris are corrupt ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : There are always many complaints against the Patwaris and after enquiry they are punished by the Tehsildars, Wazirs and the Governor.

95. CHAUDHARI ABDULLA KHAN : It has generally been seen that when an employee is transferred from one division to another he has to face great difficulty in taking over the charge on account of the fact that the employee to be relieved has till then received no orders from the Officer concerned; the relieving employee who has completed his joining time tries to take over the charge while the one to be relieved refuses to give over the charge and thus resulting in a dispute between the two, both of whom consider themselves justified. Ultimately the matter comes up before the Hon'ble Minister concerned who takes at least 6 months in deciding the case and even then it is not certain whether the decision will be in favour or against the relieving employee inspite of the fact that he is not the least to be blamed. Will Government please encourage the Government employees by making suitable arrangements and stopping the existing mismanagement ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : The question is vague and hypothetical and no reply is possible unless the member quotes some specific instances in support of his statement.

96. CHAUDHARI ABDULLA KHAN: The lanes in most of the villages of Tehsil Ranbirsinghpura are so narrow and impassable that the people of those villages are experiencing great hardships and in rainy season the communications are totally stopped. Will

Government please make immediate arrangements for widening and improving these lanes by providing money from the sanitation fund ? If not, why not ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Yes, the lanes of the most of the villages of Tehsil Ranbirsinghpura are narrow, and being *Kachha* sometimes become impassable during the rainy season. The Government are doing their best to improve the streets and lanes of the villages as speedily as funds permit.

CHAUDHARI ABDULLA KHAN : Have the lanes and streets of Tehsil Ranbirsinghpura been widened and improved ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : Upto this time I do not know whether what has been done ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The question relates to the widening of the streets of Ranbirsingh. pura.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : It has been said in reply to the question that it will be done when funds permit.

CHAUDHARI ABDULLA KHAN : Has it been done in any other village ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : I am not aware. It has been said in answer to the question that the Government has already done and will do even in future.

CHAUDHARI ABDULLA KHAN : Sir, my submission is that the Sanitation Cess is being recovered from the zamindars and spent at Batote and Gulmarg.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerjii Kt.) You put another question.

97. KHAWAJA SANA ULLAH SHAH : (*a*) Are Government aware that it was passed by the Praja Sabha that the educated zamindars be preferred to others in Government appointment ?

(*b*) Are Government also aware that it does not seem to be enforced, due to which the educated young men of Muffasils are greatly disheartened ?

(*c*) If it be correct, do not the Government consider it proper to encourage the educated young men of the Muffasils by recruiting them in Government services in view of the fact that education is in progress there ?

(*d*) If it considers it proper then will the Government please issue urgent orders that at the time of recruitment in every department the claims of the educated zamindars according to their qualification should be considered superior and they should not be ignored ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) The resolution to which the Member

refers, desired that the zamindars be given "a greater share in State service in future".

(*b*) The resolution was brought to the notice of the Ministers and through them of the Heads of Departments for such action as may be possible and there is no reason to believe that the instructions given in this behalf are not being carried out.

(*c*) and (*d*) The claims of qualified zamindars are taken into consideration when appointments are made. Such claims have not to Government's knowledge been ignored and will not be ignored in the future.

98. KHAWAJA SANA ULLAH SHAH : (*a*) Are Government aware that in reply to my question No. 670 Q. D. No. 735 asked in the last session of the Praja Sabha it was stated that orders have been issued to include Patwar and Agriculture Course in the curriculum of the village Primary Schools ?

(*b*) If it is not what the House wants but rather the real intention of the House is that Patwar training school be opened in this Tehsil ?

(*c*) Will the Government please consider that the object of the Patwar training is to be acquainted with the field measurement, compiling of papers and settlement work and this knowledge cannot be acquired in the Primary Schools ?

(*d*) If what has been stated in the above parts be correct will the Government please open a Patwar training school in the said Tehsil and thereby oblige the zamindars ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) No, it was never the intention.

(*c*) Yes, but elementary knowledge can be acquired in such schools.

(*d*) Patwar training School can, in case of necessity, be opened for the whole Province and not for any particular Tehsil.

99. KHAWAJA SANA ULLAH SHAH: (*a*) Will the Government please state as to how many times the rates of *Abiana* for the Jammu Irrigation were revised after the settlement? The reasons for the change in the rates be stated in detail ?

(*b*) If the rates of *Abiana* for Jammu Irrigation were in fact increased after the settlement, then why the rates of *Abiana* for Kashmir Irrigation were not considered since the prices of the grain have undergone great changes ?

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) No revision of *Abiana* is done in Jammu Tehsil after the last settlement.

Revision was done in Ranbirsinghpura Tehsil *vide* Council Resolution No XIX, dated 21st January 1925. The rate of wheat was raised from 3/- to 3/8- per acre. The rate of

sugarcane was reduced from Rs. 7/- to 6/8/- per acre. Special rates were fixed for *Naubad*, owing to the proximity of the Naubad lands to the the Jammu Town and taking into consideration the high prices which the vegetable and Pona sugarcane are fetching. The *Abiana* on *Wadwattar* was abolished and rate of *Palawa* and first watering fixed at Re. 1/- per acre instead of full rate.

(*b*) The rates of *Abiana* in Kashmir Province have been based on the average prices of grains and as such the circumstances in Kashmir Provinces are different from those in Jammu Province. It is not therefore possible to reduce the *Abiana* rates in Kashmir Province.

100. KHAWAJA SANA ULLAH SHAH: (*a*) Will the Government please reduce the rate of *Abiana* assessed on Lal Kuhl and Zainagir proportionately to the fall in the price of grains because at the time the Government fixed the rates of *Abiana* for the above mentioned canals the prices of grains were much higher than they are at present ?

(*b*) Will the Government please, keeping in view the fall in prices of grains and the increasing economic depression which has further impoverished the condition of the zamindars think it just to proportionately reduce the rate of abiana for the above said canals ?

(*c*) If what has been said in the above parts is proper, then will the Government please put it into effect in the year 1994 and thereby show sympathy to the poor subjects ?

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*), (*b*) and (*c*) As the rates of *Abiana* have been based on the average prices of crops, as fixed after settlement, no reduction is possible. The higher prices of crops were not taken into consideration at the time of fixation of the rates of *Abiana*.

101. KHAWAJA SANA ULLAH SHAH: (*a*) Are Government aware that in the year 1961 the Government suspended the revenue of *Kharif* crops of the certain villages wherein the crop were damaged on account of the 'Khushkimar' ?

(*b*) That the orders having been issued for the realization of the suspended revenue, the collection is being made now and it is said that there is no rule to allow rebate for 'Khushkimar' ?

(*c*) If it be correct then will the Government please consider it just to have pity on the poor zamindars by admitting that the damage resulting from "Khushkimar" is to be treated reasonable just as the damage to the crops on account of Panimar is treated ?

(*d*) Will the Government please do justice to the poor zamindars by framing rules to allow rebate for "Khuskimar" as is done in the case of the Panimar so that in future the zamindars may be protected against such unforeseen calamities ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : (On behalf of the Hon'ble Revenue Minister): (*a*) The particular villages have not been mentioned, but taking it as a general question, the reply is in the affirmative.

(*b*) Suspenison does not mean remission. Suspensions granted for extra-ordinary calamities alone are remitable under rules.

(*c*) Khushkimar is an ordinary calamity which occurs generally in dry tracts while Panimar is an unforeseen extra-ordinary calamity. There being no comparison between the damages resulting from these two calamities, no equal treatment can be accorded in such cases.

(*d*) In view of (*c*) above the question does not rise.

102. KHAWAJA SAFDAR ALI : Several times resolutions regarding preference to be given to the zamindars in matters of Government service have been passed by the Praja Sabha and accepted by the Council. Moreover His Highness the Maharaja Bahadur has also issued commands in this behalf. Has the Government in view of the above facts and the welfare of the poor village zamindars given them any appreciable preference in Government service ? If the answer be in the affirmative, then it may please be stated as to how many village zamindars have been appointed on Gazetted and non-Gazetted posts during the last three years ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : As zamindars are not separately classified for purposes of appointment it is not possible to give the figures asked for. There is no reason to believe that the interests of the zamindars in respect of appointment to the service are over-looked.

MIRZA MOHAMMED AFZAL BEG : Do not the Government know that His Highness issued commands that preferential treatment should be accorded to the agriculturists in the matter of services and this Sabha also passed resolution to this effect.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER: (Prime Minister) : The resolution said that if the qualified zamindars were available they should get greater share in the services of the State.

MIRZA MOHAMMED AFZAL BEG : The Government has not supplied the information asked by the member in the last part of his question. Will Government please supply it ?

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER : If it is desired that that sort of information should be supplied, Government will have to consider the question of the qualified zamindars who have applied for the services and will have to see as to how many have been taken in. At present such information is not available. However the Government are giving preferential

treatment to the zamindars in the matter of services, as passed by the Sabha.

MIRZA MOHAMMED AFZAL BEG: The member has not referred only to the resolution but to the commands which have been issued by His Highness; that part of the question has not been answered.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER: That I have already said that a resolution was passed to the effect that zamindars should be given preferential treatment and they should get greater share in the services of the State. Qualified zamindars are given due preference when appointments are being made.

MIRZA MOHAMMED AFZAL BEG: The member is not referring to the resolution alone, but he also refers to His Highness' commands on which Hon'ble the Prime Minister issued orders that preferential treatment should be given to zamindars.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Next question please.

MIRZA MOHAMMED AFZAL BEG: Point of order Sir, may I know what rule of Business does my supplementary question infringe?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): That question does not arise. It has been sufficiently answered. It is no use to repeat the question over and over again.

103. KHAWAJA SAFDAR ALI: Are the village zamindar students who pay education cess into the Government treasury given any preference at the time of granting scholarships in schools as well in colleges? If not, then, will the Hon'ble Home Minister please issue instructions in this behalf?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Scholarships of various kinds are every year awarded according to a set of sanctioned rules. Village schools also take a large share. But other things being equal preference is given to agriculturists.

SARDAR DHIAN SINGH: Are the Hindus and Sikhs included in the village boys? (Laughter)

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt): This is a new question.

104. KHAWAJA SAFDAR ALI: The bunds and banks of the river Jhelum below Shalla Teng, Tehsil Baramulla are in a very dilapidated condition whereby there is a danger from flood and over-flowing of water even when there is an ordinary rise in the level of water. Will the Government please make immediate arrangements for repairing of these bunds?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The information could not be collected in so short a period. Necessary reply will be given later on.

KHAWAJA SAFDAR ALI: I had submitted that the banks of river Jhelum are in a dilapidated condition and the arrangements for their repair may kindly be made?

MR. PRESIDENT (THE Hon'ble Sir Lal Gopal Mukerji Kt.): It has been said that the reply will be given afterwards.

MIAN AHMED YAR: The second part of the question has not been replied. If they are really in a dilapidated condition then will the arrangements be made for their repair?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: This matter relates to funds The work has to be executed in accordance with the programme, *i. e.* the works allotted for the first year are to be executed in that year and those allotted for the next year are to be executed in another year. This work will be done when the funds are available

105. KHAWAJA SAFDAR ALI: The "Krisham" grass generally grows in the area specified for Kahcharai for the use of which the zamindars pay the Kahcharai tax but besides this a separate tax is realised for "Krisham" grass. Are Government prepared to allow rebate of the revenue on that "Krisham" grass which grows in the area specified for Kahcharai? If not, then the reasons therefor may be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The Kah Krisham areas assessed to land-revenue at the time of settlement are different from those set apart for grazing purposes. The grazing tax is levied on the latter and not on the former. If the Praja Sabha Sad, however, means the Krisham grass which grows spontaneously on the reserved grazing areas or waste lands other than the specified Krisham areas assessed to land-revenue, it may be noted for his information, that such grass is not assessed to land-revenue. The question of rebate or remission of revenue does not, therefore, arise.

MIRZA MOHAMMED AFZAL BEG: By the revenue do the Government mean "Krashim" tax?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: Yes, "Krashim" tax is charged on the land which is not included in kahcharai area. That is a separate land.

105. KHAWAJA SAFDAR ALI: It has been observed in the case of some villages that those walnut trees which stand in the cultivated area of the zamindars are assessed to revenue separately and exclusive of the assessment of the cultivated area. Is it proper to do so? If not then will the Government please state the reasons for this double assessment?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Separate assessment of

walnut trees in cultivated areas has been made after giving corresponding set off from the assessment of the cultivated area by excluding from assessment the portion of the area under shade of such trees. Thus no question of double assessment can arise.

107. KHAWAJA ALI MOHAMMAD: Will the Hon'ble Home Minister please state whether the Education Department has investigated the reasons why the Muslim qualified and trained graduates feel reluctant to serve under the Education Department and prefer other departments? Has the Hon'ble Minister devised means to remove the causes for doing this? If the answer be in the affirmative, then what do the Government intend to do in this behalf?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: No qualified and trained graduates seem to be feeling reluctant to serve in the Education Department. The fact that every year Muslim graduates are recruited shows that they are not reluctant to serve in this Department.

108. KHAWAJA ALI MOHAMMED: Will the Hon'ble Finance Minister please state: (*a*) How many houses are to be demolished by the Municipal Committee in order to extend the road from Habba Kadal Kharadhuri to Mohala Zaindar and how much estimate has been made for the compensation?

(*b*) How many of them have been demolished uptil now and how much amount has been given as compensation?

(*c*) How many of them still remain to be demolished and how much amount remains to be given as compensation?

(*d*) Did the owners of the houses ever apply to the Governor of Kashmir either for the acquisition of the areas on payment of compensation or to allow them to re-build the houses? If the answer to part (*d*) be in the affirmative, then—

(*e*) What action was taken on their application and why the areas are not acquired on payment of compensation so that the road may be completed?

(*f*) Is it a fact that in order to extend the road from Kharahduri to Mohalla Zaindar the Municipal Committee Srinagar has upto this time given about Rs. 40,000 to the owners of the houses as compensation? If the answer be in the affirmative then

(*g*) Will it please be stated why the road has not been metalled since the areas acquired about five years ago and why the areas have been kept in bad condition and that the sweepers of the Committee amass there rubbish and sweepings of the surrounding Mohallas and thereby it affects the sanitation and public health?

(*h*) Will the Government please enquire about the matter from

the Municipal Committee and compel the Municipal Committee to construct a public road according to the sanctioned scheme?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI: (*a*) The scheme was for demolition of 90 houses and 3 sheds. The estimate was for about a lac or so.

(*b*) 56, Rs. 41,853-12-11.

(*c*) 37, Rs. 33,526 as intimated by the Collector.

(*d*) Owners cannot apply for acquisition under the law or for rebuilding to the Governor.

(*e*) No action can be taken on such applications. The area will be acquired when funds are available.

(*f*) Yes. Rs. 41,853-12-11 have been paid as compensation as so far.

(*g*) (*i*) Complete possession of all the sites for which compensation was paid has not been transferred to the Municipality so far.

(*ii*) The level of the Haba Kadal bridge being undermined no road could be prepared and metalled. The estimate has, however, now been prepared and sent to the Chief Engineer P. W. D.

(*iii*) There are no sweepings and rubbish but at some places materials of houses that are being demolished exist which are being cleared.

(*h*) The Municipal Committee will do it as funds permit.

KHAWAJA ALI MOHAMMED: Will it be stated that when the outstanding compensation will be given to the owners?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: It will be paid when funds will be available.

KHAWAJA ALI MOHAMMED: If the funds will not be available for ten years will then these poor people keep waiting till they expire?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI: The funds have been provided in the current year's budget. When these are sanctioned payment will be made. So far even the possession has not been taken completely.

109. KHAWAJA ALI MOHAMMED: Will the Government please state: (*a*) What is the number of Signallers and Messengers in the Telegraph Department?

(*b*) What was the communal proportion of Signallers and Messengers in 1931 and what it is now?

(*c*) How many Signallers and Messengers have been appointed since 1931 and how many of them are Muslims and how many non-Muslims?

THE HON'BLE SAHIBZADA SIR ABDUSSAMAD KHAN:

(*a*) Signallers ... 51
Messengers ... 41

(*b*) (*i*) The communal proportion of Signallers in 1931 was 92·5 per cent. non-Muslims and 7·5 per cent. Muslims. Now it is 78·4 per cent. non-Muslims, 17·7 per cent. Muslims and 3·9 per cent. Sikhs.

(*ii*) The communal proportion of Messengers in 1931 was 75·8 per cent. non-Muslims, 18·2 per cent. Muslims, 3 per cent. Sikhs and 3 per cent. others. Now it is 64 per cent. non-Muslims, 26·4 per cent Muslims, 7·2 per cent. Sikhs and 2·4 per cent. others.

(*c*) (*i*) Signallers appointed since 1931. .. 17 (8 Muslims, 7 non-Muslims and 2 Sikhs).

(*ii*) Messengers appointed since 1931. ... 9 (4 Muslims, 3 non-Muslims and 2 Sikhs).

110. KHAWAJA ALI MOHAMMED: (*a*) How many posts of Telegraph Masters fell vacant in the both provinces since 1931 upto the present time ?

(*b*) Was any Muslim appointed on any post of a Telegraph Master during the last six years ? If the answer be in negative, then,

(*c*) What are the reasons therefor ? Is not this the policy of the Government to appoint a Muslim on one post out of the two parallel posts in both the provinces ? If the answer be in the affirmative, then —

(*d*) Why at the time of the appointment of Telegraph Masters this principal was ignored ?

(*e*) Is it a qualification for a Telegraph Master to pass the Matriculation or the appointment is made by virtue of seniority ?

(*f*) Of all the appointments of Telegraph Masters made since 1931 how many of them were Matriculates and how many non-Matriculates; how many of them were appointed by virtue of seniority and how many regardless of seniority ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) 3

(*b*) No Muslim was appointed during the time.

(*c*) Appointment of the Telegraph Masters was made from amongst the signalling establishment on the score of efficiency. As the appointments are of technical nature and have to be filled up from the Departmental training staff, the question of appointment of a Muslim on one of the two parallel posts does not arise. In connection with the filling up of vacancies caused by these appointments one post in the signallers grade was filled up by a Muslim.

(*d*) Kindly refer to reply as per item (*c*) above.

(*e*) The appointment of a Telegraph Master is made on the score of efficiency.

(*f*) Of all the appointments of the Telegraph Masters made since 1931 one was Matriculate and two were non-Matriculates. All the three were appointed by virtue of efficiency.

KHAWAJA ALI MOHAMMED : Has seniority also been kept in view at any time ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Yes it is done so where it is possible.

111. KHAWJA ALI MOHAMMED : Will the Hon'ble Home Minister please state : (*a*) The number of the senior-Muslims signallors together with the length of their service ? How many of them are Matriculates ?

(*b*) What is the total number of posts in the Telephone Department ? What communal proportion is observed therein ?

(*c*) What is the number of inspectors in both the provinces ? What communal proportion is observed therein ?

(*d*) What is the strength of the staff of the office of the Superintendent Telegraph and Telephone ? How many of them are Muslims and how many non-Muslims ? How many peons are there ? How many of them are Muslims and how many non-Muslims ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) The number of senior Muslim signallors is 9. The length of service upto 18th Bhadon 1994 of the senior most amongst them is 9 years. 10 months and 14 days. 8 of them are matriculates and one is non-matric.

(*b*) Total number of posts is 54, (38 Hindus, 12 muslims 3 Sikhs and one Harijan)

(*c*) 2 non-Muslims.

(*d*) Excluding the Accountant borne on the establishment list of the Accountant General's office and the Head clerk borne on the list of the signalling establishment, the strength of the Superintendent of Telegraphs and Telephones' office staff is 5 (2 Muslims and three non-Muslims).

The number of peons is 3 (1 Muslim, 1 Hindu and 1 Sikh).

112. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact : (*a*) That about 600 students are receiving education in the Rawalkot Middle School, but the building is the same which was constructed for the Primary School ;

(*b*) That the building which was not well-built, now being old, has become dangerous. The students sit in the open ground.

(*c*) That when it rains the School has to be closed necessarily.

(*d*) That there is no building for the purposes of boarding and Kitchen. Shop building which is ordinary and not well-built is hired for this purpose wherein all the rain water perculates within and danger is apprehended;

(*e*) Several times the attention of the Wazir Sahib, Chief-Judge, Chief Revenue Officer and Chief Educational Officer has been invited but inspite of promises being given no practical step has

been taken so far. The trouble is increasing day by day. If the answer to the above parts be in the affirmative, then are Poonch Administration prepared to construct a building for the Middle School ? If not, the reasons therefor be stated ?

WAZIR FEROZ CHAND : (*a*) Yes.

(*b*) Yes, but the building is not so dangerous as stated by the Praja Sabha Sad.

(*c*) In heavy rains the school has to be closed.

(*d*) Yes. The Chief Educational Officer will be asked to get necessary repairs done to the building in question.

(*e*) Almost all School buildings in the Illaqa stand in need of repairs and extension. But the question of their repairs etc, cannot be taken all atonce due to financial stringency. The Chief Educational Officer has been asked to chalk out a programme according to which the expenditure may be spread over a number of years and the work of repairs and constructions taken up every year in order of urgency. The question of Rawalkote School building will also be considered according to the set programme.

113. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact that the Malarial fever is so vehemently spread in the Mufassils of Tehsil Sadhnoti Bagh that in certain houses there is no one even to offer a glass of water to the patient ? If the answer be in affirmative, has the Poonch Administration provided any medical aid to combat this disease ? If not, why ? The reasons therefor be stated ?

WAZIR FEROZ CHAND : *1st part.*—Yes.

2nd part.— Appointment of one additional Doctor and four Compounders has been sanctioned for distribution of medicines in the *Illaqa*. In addition to the above, an extra grant of Rs. 500 over and above the sanctioned grant of Rs. 1,000 provided for purchase of Quinine etc. has also been sanctioned for the purchase and distribution of Quinine. Besides this Quinine worth Rs. 300 has been dirtributed by the Poonch Municipality.

114. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : Will Government kindly exempt from Customs duty indigenous medicines which people import for their personal use ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : No. The Present rate of import duty on Indian Drugs is only 10 per cent. and is already very low.

115. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Will Government please state how many out of ten Veterinary Training Scholarships have been granted to candidates from the rural areas and how many to candidates from urban areas ? Has any candidate from Muzaffarabad been sent for training ? If not the reason thereof be given ?

(*b*) Will Government in future select candidates district-wise at the time of granting scholarships so that the able candidates of backward districts be equally benefitted ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Seven scholarships were granted to candidates from the rural areas and three to those from urban areas. One Ghulam Qadir of Muzaffarabad was selected for being deputed for training in case any of the selected candidates failed to join the training or was not admitted by the concerned institution. He was not considered good enough to be included in the first ten.

(*b*) It is not possible to select candidates by districts.

116. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Will the Hon'ble Finance Minister kindly allow the local tongas to pass through the Customs Post Domel without payment of Road Toll ?

(*b*) If the reply to (*a*) be in the negative then the annual income of the Customs Posts Domel through these local Tongas be stated ?

HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : (*a*) No. As local tongas when carrying passengers between Garhi and Muzaffarabad on the Jhelum Valley Road pay road toll at the concessson rate of annas eight only.

(*b*) The average annual Road Toll realised on local tongas passing between Garhi and Muzaffarabad amounts to Rs 61.

MIAN AHMED YAR : Will the road toll be exempted keeping in view this ordinary income ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : Because this toll is being realised even at Jammu therefore the question of abolishing this road toll at Domel does not arise.

MIAN AHMED YAR : When there are explicit recommendations of the Glancy Commission and the commands of His Highness the Maharaja Bahadur there on that road toll should not be realised from the local Tongawallas then why it is being recovered. There are clear orders for Domel.

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : Partial treatment is not possible. You please put a general question.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Better bring forward a general resolution regarding it in the next session of the Praja Sabha.

117. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Will Government kindly state whether the Anti-Corruption Commission has completed its report ?

(*b*) If the reply to (*a*) be in the affirmative will Government place the report on the table of the Praja Sabha ? And if the reply be in the negative when would it be completed ?

(c) Do Government consider such persons to be entitled to pension who have a very bad reputation and against whom there is a general complaint of corruption ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (a) The Anti-Corruption Commission has not yet completed its report.

(b) It is expected that the Commission will take another 6 months or so to make its report

(c) The attention of the member is drawn to Article 170 K. S. R. which describes the conditions under which the pension of an officer can be withheld.

118. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (a) Has it come to the notice of the Hon'ble Revenue Minister that for years together the files pertaining to disputed cases of the Revenue Department remain without disposal and hence no final decision?

(b) If the reply to (a) be in the affirmative will the Hon'ble Revenue Minister kindly, in order to remove this complaint, issue orders like the Judicial Department to the effect that every file relating to disputed cases should be finally disposed of within a fixed period (to be prescribed by the Hon'ble Revenue Minister) and the date of appearance should be fixed and communicated by the Revenue officers themselves ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The attention of the Praja Sabha Sad is invited to the reply given to Question No. Q. D. 315, of last session, held in Jammu in April 1937.

119. SARDAR MAL SINGH : Is it a fact that there are practically no water taps for the use of the public in Amira Kadal, Residency and Hotel Roads and that the visitors are put to a great difficulty because they do not know where they can get drinking water ? Will Government arrange for public water taps on these roads as before so that the visitors may not be put to trouble ?

THE HON'BLE SAHIBZADA SIR ABDUSSAMAD KHAN : (1) There are two public taps in Amira Kadal -- one opposite Palladium and the other near Dharamsala.

(2) On the Hotel Road, there are three taps, one near Golf Links, second near Assistant Resident s house and the third near old Settlement Office.

(3) On the Residency road, there are two taps, one near Post office, and the other near Imperial Bank. The question of additional taps is receiving consideration.

120. SARDAR MAL SINGH : Will Government please state what has been the number of the following from the time the regulation regarding the suppression of brothels and of traffic in women has been enforced in the State :—

(a) Persons challaned under the said regulation.

(*b*) Those persons who were awarded punishment.

(*c*) Those who were acquitted.

(*d*) During the said period how many reports regarding traffic in women were received by the Government *i. e.* what was the number of abduction cases in the State from the time the Regulation came in force.

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister) : This question requires the collection of figures, which are being collected. The reply is not yet ready and will be communicated as soon as ready and will be read in the next session.

21. SARDAR MAL SINGH : (*a*) Will Government please state if any restriction has been imposed in the obtaining of Registration Numbers by the newspapers as has been stated in a few local papers ? Has this been done so that the papers may, desist from publishing inciting articles and sensational news ? Would it not be better to demand security from such papers for not publishing inciting articles ?

(*b*) Do the newspapers suffer financially for want of Registration Numbers, the advantage wherefrom goes to the Post Office rather than to the Government ? Is there any such restriction on newspapers either in any other State or in British India.

Will Government please remove this restriction ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Newspapers which have been issuing regularly for over six months are usually recommended for posta l registration.

(*b*) Such loss as they may suffer on this score is of a trifling nature and is incidental to all undertakings of this character during their preliminary stages.

(*c*) Government have no information on this subject.

(*d*) Does not arise.

SARDAR MAL SINGH : When there is a very nominal loss and such restriction exists no where then will the Government remove this restriction ?

RAI SAHIB PANDIT RAM CHAND KAK : This is not essential that the rules existing in other places should also be enforced here. This is a question of necessity ?

MIAN AHMED YAR : I mean to say when all other rules of the postal department are applicable here and are similar why in this case similarity is not being kept.

RAI SAHIB PANDIT RAM CHAND KAK : This is a new question. The reply which has been asked h as already been given.

SARDAR MAL SINGH : (*a*) Do Government admit that im port duty should be excessive only in case of those imported articles which are also produced in the State ,

(*b*) Do Government know that Tinctures and Spirits are not prepared in the State and that these are necessary ingredients of all medicines ?

(*c*) Is it a fact that inspite of this Government have imposed heavy duties on such articles. For example, Spirit Aethores Nitirosi costs one rupee twelve annas per pound and Customs duty on it is charged at the rate of Rs. 5 per pound.

(*d*) Do Government admit the principle that as many facilities as possible be provided for the treatment of patients ?

(*e*) If the answer be in the affirmative then will Government reduce customs duty on the ingredients of all such medicines for which customs duty is above twenty-five per cent ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI (*a*) Yes. This is one of the several considerations in the determination of tariff here as elsewhere.

(*b*) Yes, the Government is, however, not aware that tinctures and spirits are necessary ingredients of all medicines.

(*c*) The duty imposed on these articles is the same as is prevalent in British India.

(*d*) The Government have nothing to say against the principle advocated by the Praja Sabha Sad and patients are treated free in Government Hospitals.

(*e*) No. The Government cannot agree to such a reduction.

SARDAR MAL SINGH : Has the Government enquired whether how many patients go to the hospitals and how many to the private practitioners ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI: This question was not asked by you. Your question has been answered. Neither this was your question nor I had made enquiry regarding it.

SARDAR MAL SINGH : But this question comes out of my question and I can enquire it.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Addressing to the Hon'ble Finance Minister : When such a question is asked, you should ask for a notice if you are not prepared to answer the question.

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : This is not our business to enquire as to how many patients go to the private practitioners and how many to the hospitals. It can however, be enquired for your information.

MIAN AHMED YAR : What principle is followed in levying duty on the medicines ? Is it protection duty or revenue ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH : I cannot say anything off hand.

MIRZA MOHAMMED AFZAL BEG : Notice.

123. SARDAR MAL SINGH : This news has been abroad in

local papers since a very long time that the Customs Department will be brought under reduction when the State joins Federation. Is there any truth in this news ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : The Government have no such information.

124. LALA HANS RAJ : (*a*) Will the Government please state in what quantities herbs and other similar products are found in the State whereby thousands of medicines can be prepared ?

Whether those doctors who qualified themselves in medicines in the foreign countries have ever given any advice to the Government to prepare medicines from those products ?

If the answer to part first be in the affirmative, and that to part second be in the negative, then will the Government in future pay attention to the opening of two laboratories one at Jammu and the other at Srinagar—wherein medicines may be prepared which are used in the country ?

(*b*) Do Government know that medicines imported from other countries do not have the same efficacy as the indigenous medicines have when used by the local people ?

If the answer be in the affirmative, then will the Government be able to save or not lacs of rupees spent on purchasing medicines from foreign countries by stopping these purchases in future ? As a rule when it is the foremost duty of the Government to avail of the products of the country then why attention is not paid towards it ? When will the Government pay attention to this matter ?

Are Government aware of the fact that by opening such kinds of laboratories, the evil of unemployment will be removed to a greater extent ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf the Hon'ble Revenue Minister) : (*a*) The question is extraordinarily vague. A Board for the control of indigenous drugs consisting of the Chief Conservator of Forests, the Director of Medical Services and the Director of Agiculture advises the Government on the subject.

(*b*) No.

125. LALA HANS RAJ : (*a*) Are Government aware of the fact that illicit distillation is very common in almost all the districts of Jammu thereby the people are being demoralised with the result that they are committing many sorts of evils ? If the anwser be in the affirmative, then will the former rules for its prevention be revised and perfect success in reforming the country may be achieved ? If so, when ?

(*b*) In what quantities and at what rates the Government purchases that country liquor which is imported from the British territory ; and with what profits or duty it is sold to the contractors

and at what rates they (contractors) are dircted to sell it ?

(*c*) Of what constituents is the above said liquor prepared and has the Government ever got it chemically examined as to what serious harm is done by its use to the health of the people ? Will the Government please call for and place before the House the medical report about it in the coming session of the Praja Sabha, and if it is found from the medical report that it is injurious to health will the Government in future stop the use of such liquor which is harmful to the morals and the health of the people in every respect ? If not, why ?

(*d*) Are Government aware of the fact that wherever there is a greater use of liquor other immoral deeds are also committed there greatly ? If it be correct then can there ever be maintained real peace and tranquillity in the country ? Are Government willing to stop this evil and practice of distillation ? If not, why ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : (*a*) Yes, inspite of the strict watch kept by the Excise Department and deterrent punishment given whenever a case of illicit distillation is caught, illicit distillation still goes on in the Jammu Province. The question of strengthening the present staff and adoption of other measures to suppress the illicit distillation is already receiving consideration. The Praja Sabha Sad refers to some former rules but he has not stated what those rules were and when and where they were in force.

(*b*) No fixed quantity is imported. Imports are generally made according to the requirements of the Excise Department. The quantity of country liquor purchased during the fasli year 1992-93 amounted to 11,915·50 L. P. gallons at the rates given in the margin. No profits are charged by the Department. But the price for issues made from the warehouse to excise contractors is fixed after taking into consideration loss on account of dryages and wastages and other incidential charges. Last year the issue price for Kashmir was Rs. 1-7-6 and for Jammu 0-13-6 per gallon of 20 U.P. strength In addition to the actual cost, excise duty at Rs. 6-4-0 per gallon of London Proof strength is charged to cover departmental charges and discourage consumption.

(*a*) Re 1/- per proof gallon as taken delfvery of and receipted for at the Jammu Warehouse.

(*b*) Re 1/- per proof gallon as taken delivery of and receipted for at Rawalpiudi for Kashmir.

The maximum price at which a licensee can sell country liquor is Rs. 2 a bottle of 55 tolas.

(*c*) and (*d*) The country liquor purchased by the Department is extracted solely and purely from Gur or molasses and no other commodity. With regard to the answer for the remaining portion of the Praja Sabha Sad's query the Government realises the evil effects of this habit and takes necessary steps to suppress

drinking by illicit methods. It is not possible to enforce total prohibition of drinking of liquor in the State at present.

LALA HANS RAJ : I want to know whether what what steps have the Government so far taken for the prevention of illicit distillation of liquor ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI : The Government are taking every possible measure for the prevention of illicit distillation of liquor but unfortunately the illicit distillation of liquor is very much in the village of Lala Sahib.

LALA HANS RAJ : My resolution to the effect has lapsed yesterday.

126. LALA HANS RAJ : (*a*) Are Government aware of the fact that Praya Lal Patwari Dansal, Tehsil Jammu has greatly oppressed the people in every way and complaint has been lodged against him to the Tehsildar and the Revenue Assistant *vide* Dogra Gazette dated 8th—19th Maghar 1993 ? But inspite of all that he has not yet been called to account for this because a relation of his is a high officer under the Government. Is it a fact that previously when he was Patwari at village Nagrota Kandoli, many complaints were made by the people against him but no explanation was called for from him ?

(*b*) Will the Government now relieve the people of that *Illaqa* from the grips of this tyrant and having made enquiries into the complaints against him will punish him for his misconduct ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) *Ist Part.* Government have no knowledge.

2nd Part. No such complaints have so far been reported or received against the Patwari.

(*b*) An enquiry into the matter is being made by the Governor Jammu. Suitable disciplinary action will be taken if the Patwari is found guilty of any misconduct.

LALA HANS RAJ : The files are available in Tehsil Jammu.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt :) The questions being over, we shall now take up Resolutions.

RESOLUTION NO. I.

The Assistant Secretary read out the following resolution of L. Shiv Nath Nanda :—

"This Praja Sabha recommends to the Council that with a view to declare as agriculturists such of the Khatr es as depend mainly on agriculture and own lacs of Ghumaons of land, a Commission consisting of five official and non-official members be appointed to make an enquiry and submit a report."

SARDAR KANHAYA SINGH : Sir, I have given notice of an amendment.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt:) Your amendment is time barred and cannot be accepted.

SARDAR KANHAYA SINGH: Yesterday was a holiday, therefore I could not submit it in time.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt:) There is no need of discussion. You had two days at your disposal. You knew it on the 25th instant as to which resolutions had succeeded in the ballot.

LALA SHIV NATH NANDA: Sir, I have written the word "Khatri" in the resolution which I am moving in this House but by this I mean those people who have been declared as money lenders by the Government and have not been included in the list of the agricultural classes. That is what I want to speak on behalf of those who are aggrieved and are not regarded as agriculturists. It seems that the Sikhs also are aggrieved. My friend Sardar Kanhaya Singh wanted to move an amendment which being time barred could not be accepted. The reason of writing the word "Khatri" in my resolution is that some sikhs also are Khatries and those people also can give evidence before the enquiry commission that justice be done to them by declaring them to be agriculturists.

Sir, the first Alienation of Land Regulation was passed in 1973. The aims and objects of passing this regulation was that on account of indebtedness the condition of the agriculturists was going from bad to worse every day and the Sahukars on account of the rising of the price of land were turning their attention to purchasing the land. The object of enacting this Regulation is to put a check on their present miserable condition and the furtherance of their well being. In order to enforce the regulation referred to above only those were declared to be agriculturists whose main source of livelihood was agriculture and the result was that if the father was an agriculturist the son by virtue of his taking to service or trade could not remain an agriculturist any longer, so that only those persons were declared as agriculturists who depended on agriculture in the real sense. This interpretation can be further supported by the Definition of the Agriculturists Relief Regulation of 1983.

Besides this other concession was provided that if a person changes his profession temporarily and takes to State service or service in British India and this change of profession is not intentional, he shall be considered to be an agriculturist.

These Regulations and definitions continued to be followed till 1990. And a person should be considered to be following that profession by which he earns his livelihood. The intention of these rules was that every individual can follow any

independent profession but in framing the definition under the new rules, the occupation of the classes and not of the families and the individual has been taken into consideration and this practice is quite contrary to the past traditions. This has deprived the real agriculturists whose chief source of livelihood is agriculture, of the concessions that they would otherwise enjoy under the Relief Regulation. This defeats the object which led to the enactment of the said Regulation. The Act did not intend to make any distinction between Hindu and Muslim subjects but the law was intended to be applicable to all irrespective of any caste or creed. The practice that is followed at present runs counter to the aims and objects of the Law and the principles of justice. It is natural that every body follows a profession of his own. If a man is goldsmith and earns his livelihood by following that profession his son may be an agriculturist. It is therefore absolutely wrong to determine the profession of a son by that of his father.

The present classification of people as of agriculturists is based on the average area possessed by them in a certain district or as a class. Hindus who have depended upon agriculture as a means of their livelihood for generations have been deprived of their legitimate rights simply because they fail to attain the standard and thus a considerable majority of the loyal subjects of His Highness is being ruined.

After this when Mr. V. N. Mehta came here as a Revenue Minister in 1990 more amendments were made in it and when this Regulation was framed I met the Hon'ble Mr. V. N. Mehta and sudmitted that it was not the duty of the Government to meet out indiscriminatory treatment towards different communities like Sikhs, Muslims and Khatries and that it was an injustice, whereupon he stated that all this was quite correct and he felt the necessity of amendment in it. It is necessary to include those in the list of agriculturists who mainly depend on agriculture but since it has now become a law therefore this matter would be taken up in the Praja Sabha. He asked me even to move a resolution in the Praja Sabha. Thrice I gave notice of such a resolution but it did not succeed in the ballot. This time it was due to my good luck that this resolution stands first in the list. I consider it my moral duty to submit it before the House that a person or a class which depends mainly upon agriculture should not be deprived of his legitimate rights. For instance, take the case of a Khatri family consisting of five brothers who are agriculturists. If one of them takes to money lending business it does not mean that the rest of them cannot be included in the agricultural class. I asked many questions in the Praja Sabha and my friend Mr. Kabu who is sitting in the House asked a

question about the "Lajibatas" (*vide* questions Nos. 454 and 550) and the then Hon'ble Revenue Minister Mr. V. N. Mehta boldly stated in reply that if any person or class entertains doubts and can give proofs for being included in the list of agricultural classes then their case will be considered. Whenever I asked a question (*vide* question No. 106 asked on the 1st April 1935) the reply given was that an amendment was necessary in it. After this I asked some questions in the next Jammu Session (*vide* question No. 468 contained on page 109 of the proceedings) as to whether the Government was aware that after the promulgation of the Agriculturists Relief Regulation and the doors of Government Service being closed, the Mahajans, and the Khatries were mainly depending on agriculture and so on, and the Hon'ble Revenue Minister stated in reply that if any class can really prove that they have a right to be included in the list of the agricultural class, then they shall not be ignored. Besides this a deputation consisting of Lala Shiv Dass retired Sessions Judge, Diwan Bishan Dass retired Chief Minister and Pandit Daulat Ram waited upon the Hon'ble Revenue Minister and submitted that injustice has been done to such classes which depend mainly on agriculture and they were assured by the Hon'ble Revenue Minister Mr. V. N. Mehta that suitable action in this behalf would be taken in the Praja Sabha. After I asked another question (*vide* question No 9, 27th March 1936, Volume IV) to the effect as to whether the Government was aware that Kohli Khatries in *Illaqa* Bhimber own thousands kanals of land, pay hundreds of rupees as land revenue to the Government and mainly depend on agriculture? If the reply to this be in the affirmative, will Government please state as to why are they inspite of all this, not declared as agriculturists? It was stated in reply that reply to this question was given in a previous session of the Praja Sabha. After this I asked questions about Khatries and Manajans of Poonch who are declared as agriculturists and it was stated in reply that if any class can prove that it depends mainly upon agriculture then they can be declared as agriculturists (*vide* question 516, pages 180 and 187 dated the 30th March 1936 and question No. 557 asked by Sardar Budh Singh in Volume V). Then I asked a question as to what amount has been paid as land revenue by the non-agriculturists of *Illaqa* Kead and wanted to know the figures (*vide* question No. 289).

In the last Srinagar I asked a question to the effect that "Will the Hon'ble Revenue Minister please place in the House the following figures relating to the lands owned by or in the possession of the agricultural and non-agricultural classes of tehsil Rajouri District Reasi, total area of land of the non-

agriculturists, amount of land paid annually, the number of Wasadars and Lambardars and Zaildars and the total area in the possession of the agriculturists, the amount of land revenue paid by them annually, the number of Wanddars, Lambardars and Zaildars and in reply to which it was stated that proprietary rights in 20311 acres of lands and occupancy rights in 12,274 acres of land, Rs. 2,93,040 as land revenue and Rs. 16,503 as rent, three Zaildars 56 Lambardars and 557 Wanddars and 5,068 permanent cultivators and proprietary rights is 10,41,025 acres and occupancy rights in 68,658 acres of land Rs. 10,12,082 as annual land revenue and Rs. 48,702 as rent, 15 Zaildars, 354 Lambardars and 11997 Wandars and 24341 permanent cultivators.

MAJOR MIRZA ATTA MOHAMMED KHAN : Within what period did they take possession of this 2000 kanals of area ?

LALA SHIV NATH NANDA : Is it a supplementary question. It has been stated 2,000 acres of land are in the possession of the non-agriculturists and a sum of Rs 29000 is realized from them as land revenue. In this district there are three Zaildars, 56 Lambardars 60 cultivators and 5093 assamis. Sir, is it not advisable to do justice to these people who inspite of owning lacs of Ghumaons of lands have been declared as non agriculturists.

MAJOR MIRZA ATTA MOHAMMED KHAN : Who cultivates their lands ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Please don't interrupt.

LALA SHIV NATH NANDA : Sir I was submitting that in reply to my question No. 468 it was stated by the Hon'ble Revenue Minister that we should prove it by producing figures and in reply to my question No. 100 asked in the March-April Session, an assurance was given that a class, the majority of which depends upon agriculture can be declared as agricultural class. Sir, I have proved that there is a large number of such Mahajans and Khatries in the State who pay thousands of rupees as land revenue annually, own lacs of Ghumaons of lands and mainly depend upon agriculture.

In Tehsil Rajouri, District Reasi there are 512 such Mahajans and Khatries who own lands and pay to the Government Rs. 2,000 as land revenue annually. I remember that the Hon'ble Rai Bahadur Pandit Anant Ram the retired Revenue Minister admitted this fact and when I referred to the previous questions to the effect that the Government has declared them as non-agriculturists and how can now be decalred as agriculturists, the then Hon'ble President Sir Barjor Dalal said that if these people submit applications and prove that agriculture is the chief source of their livelihood,

then they can be declared as agriculturists. After that we submitted applications and made many efforts in this direction but no action has so far been taken on them. Now I thought it proper to move a resolution in the Praja Sabha. Sir, Sardar Budh Singh also asked a question as to why those people who mainly depend upon agriculture have not been declared as agriculturists and the reply given was that figures will be collected but after that nobody cared to collect these figures. The method of declaring agriculturists and non-agriculturists by communities as has been adopted by our Government has done injustice to a class of people. In no other law of the Government does such a discrimination exist. For instance take the case of the goldsmiths who have been declared as non-agriculturists. If this family consists of ten members and one of them works as a goldsmith, then since one of them is a goldsmith, all the rest who mainly depend on agriculture are also declared as non-agriculturists. I would submit before the Hon'ble members as to what great injustice it was that those who mainly depend on agriculture should be declared as non-agriculturists. For instance Sir, you will find that the family of late Diwan Jwala Sahai, Dewan Amar Nath and Dewan Badri Nath has been living in the State for a number of years. There is not, at present, even a single member of their family either in State Service or a money lender and they are contributing annually about Rs. 50,000 in the State Treasury as land revenue, but what a misfortune that even they are not declared as agriculturists. Sir, there are Kohli Khatries in Tehsil Bhimber, they request that they are paying lakhs of rupees as land revenue but because some one from them had taken up State Service in the past, therefore they have been declared as non-agriculturists and in this way injustice has been done to them. There are many applications from Poonch also and if the Government wants, I can submit those applications and prove that there are many people who cultivate lands with their own hands but they have been declared as non-agriculturists. There are Khatries living in Baramulla, some of whom are Zaildars and Lambardars and are tilling land themselves but they have been declared as non-agriculturists simply becuase of their being Khatries and in spite of their submitting a number of applications no heed has been paid to them.

MR. PRESIDENT (The Hon ble Sir Lal Gopal Mukerji Kt.): Mr. Nanda: Fifteen minutes were given to you but you have taken 22 minutes. I give you three minutes more.

LALA SHIV NATH NANDA: Sir, it cannot be the intention of the Government that special sympathy be shown to one class and injustice done to other classes and therefore law should be freed from such discriminations. It is a great injustice. For this reason a commission should be appointed which might hold an enquiry

and ascertain the number of people who are taking to Agriculture and mainly depend upon it but are not included in the agricultural classes. Therefore it is the duty of the Government to vote for the resolution and appoint a commission which may submit its report after holding an inquiry so that the injustice that has been done to the Khatri community may be removed.

SARDAR HARI SINGH: I support it. Sir, when the fact that on account of the rise in the prices of the commodities the Sahukars are purchasing the lands of the zamindars, came to the notice of the Government then the Government after making enquiries enforced the Alienation of Land Act in 1972 Bikrami and in it the definition of agriculturist was as under—that person should be regarded as agriculturist who depends mainly upon agriculture and orders were olso issued to the effect that any person who wants to purchase the land of a zamindar by way of mortgage or sale should obtain a certificate of being an agriculturist from a Wazir-i-Wazarat or an officer of the rank of Wazir-i-Wazarat. Under these orders only these people could purchase land by way of mortgage or sale from an agriculturist who were themselves agriculturists. But this practice caused inconvenience to the Revenue Officers and Hon'ble Mr. V. N. Mehta, the ex- Revenue Minister made agricultural classes in 1990. At the time of proposing agricultural classes the idea kept in view was that a class the majority of whose member were taking to agricultural profession was declared as agricultural class even though some of them were in Government service, shop-keepers or money lenders. The Khatri Community was excluded from the definition of agricultural classes in spite of the fact that the real intention of the Alienatian of Land Regulation was that only those persons can purchase land from the agriculturists who themselves depend on agriculture and that the land of the simple-minded zamindars may not pass on to the non-agriculturists. The resolution of my friend L. Shiv Nath Nanda proposes that a commission should be appointed to declare as agriculturists those Khatries who mainly depend on agriculture. My submission is that there are many such villages in the tehsils of Bhimber, Mirpur and Rajouri which are owned by Khatries and all of them cultivate land with their own hands and have no other source of livelihood except agriculture and they are Lambardars also. The Bhimber City which at present is the head-quarters of the Tehsil office and which formerly was the head-quarter of the District and the seat of Government during the reign of the Jhawal kings is held in proprietary rights by the Khatries and they are Lambardars of this place even up to this day. It is an injustice to exclude from the list of agricultural classes those persons who depend mainly on agriculture and cultivate land with their own hands simply

because they are Khatries. I would submit that all those persons who fall within the purview of the definition of being an agriculturist should be declared as agriculturists so that the land Alienation Regulation may be enforced in the real sense of the term. With these words I support the resolution.

LALA AMAR NATH KOHLI: Many questions relating to the resolution moved by my friend L. Shiv Nath Nanda, were asked in the previous session of the Praja Sabha requesting the Government to include in the list of the agricultural classes persons who mainly depend on agriculture and an assurance was given by the Government to the effect that if it is proved that such and such person depends chiefly on agriculture then he would be included in the list of the agricultural classes. It is with this object in view that the resolution has been moved that a Commission should be appointed which after holding an enquiry may declare those people as agriculturists who depend mainly upon agriculture. The object of enforcing the Alienation of Land Regulation of 1972 Bikrami was to save the land of the small proprietors from being transferred to the big land holders and at that time the safeguarding the interests of those who depend solely upon agriculture was specially kept in view. But in 1990, the Mahajans and the Khatries were not included in the list of agricultural classes except those who had obtained certificates of being hereditary agriculturists prior to the year 1934 Bikrami.

The object of framing this law was that the lands of the small proprietors should remain in their possession. But the members of the agricultural classes are provided with every kind of facilities. If they do not cultivate themselves, they can take to Government service, earn lacs of rupees and can purchase lands. They are free to do anything and no restriction has been imposed upon them but in the case of the Mahajans and Khatries such restriction has been imposed to the effect that they are no longer regarded as agriculturists. Every person should be allowed to take any occupation be likes. I fail to understand as to why they should be debarred from taking to agriculture. Secondly I want to submit that all the land that has been alienated so far has not been purchased by the Sahukars. If you enquire from the zamindars you will come to know that besides the Sahukars another class has been formed who have become landlords. I had an occasion to see a member of District Hoshiarpur in the Punjab in connection with the agricultural indebtedness. In the course of conversation he told me that the hardships which they were suffering at the hands of the money-lenders are now being meted out to them by the big land-lords who have purchased lands at low prices and who are not prepared to give any concession to them.

MIRZA M. A. BEG : Therefore you want to come in.

LALA AMAR NATH KOHLI : I just want to say what has been the result of all this. These big land-lords have acquired by mortgage the lands of small proprietors at low prices and besides they do not cultivate themselves. The act which is at present in force does not fulfil the object for which it was intended. The reason for declaring the Khatri community as non-agricultural one is due to the fact that at the time of making amendment in this Regulation in 1990, no member from the Khatri or Mahajan community was either in power or wielded any influence with the result that twenty thousand Khatries were declared as non-agriculturists. Out of thirty eight lacs, sixty thousand only were declared as non-agriculturists. It is not reqeusted to include these sixty thousand but only those who mainly depend upon agriculture. Therefore I support Mr. Nanda's resolution.

LALA HANS RAJ : Sir, I think by moving the resoltution Lala Shiv Nath Nanda has done no good. I want to submit that safeguards are necessary in every case. It is a principle of the Shastras that one should adopt himself according to the circumstances and following this very principle I would submit that if this resolution is taken into consideration at this time, it cannot serve any useful purpose. If the Mahajans and Khatries are declared as agriculturists at this time then I am afraid that everything will become topsyturvy and those people who already say the Mahajans are looting the people, they are dacoits, they are sucking the blood of the poor and are no less than Shylocks will get excited.

The Government want to give every possible facility to the zamindars who are called the back-bone of the Government. The zamindars should be supported. The Mahajans and the Khatries do not render any service to the Government. They do not die fighting and these *Dhotiposh* shopkeepers cannot prove useful for the Government in any way. It is our misfortune that other communities are not afforded an opportunity to come to the forefront. A wiseman has said that all the human beings are each other's limbs because they are made of the same material. If one limb suffers from malady the others also experience much trouble.

There is a famous saying about this State called "Dahas Jamuan" which in this case is being put into practice. I once enquired of His late Highness about this saying and he was pleased to reply that this saying is well-known. That saying related to all the Rajputs but the word "Dahas" is well-know for the Rajputs of Jammu. There are different legends about the other Rajputs. The Rajputs of Basohli are known for being politicians.

I do not want to enter in details at present. Keeping these

facts in view, the Khatries and the Mahajans should bear in mind the words of a Hindi poet.

क्या कार्य दुष्कर है यदि हो इष्ट हम को भी कहीं।
उस ईश सृष्टि कर्त्ता का ईशत्व क्या हम में नहीं॥
यदि हम किसी भी कार्य को करते हुए असमर्थ हैं।
तो उस अखिल कर्त्ता पिता के पुत्र हो हम व्यर्थ हैं॥

"Nothing is difficult only if we have a mind to do a thing. Do we not have in us the divine power of the Creator? If we are unable to accomplish any work, then we are the unworthy sons of the Father who is the creator of all.

I ask the Government as to how they have satisfied the zamindars by enforcing this Regulation. The zamindars which I have seen and heard about were quite different, nay they are ruined. Their lands which could fetch Rs. 500 have been sold for Rs. 100. They have been ruined by big zamindars. This law made by the Government has compelled the zamindars to sell even their daughters. I ask the Government as to whether they have no sympathy for these *Dhotiposh* Mahajans and are they out to ruin them *i. e.* the Mahajans. They have no place where they and their children can clean their bowels. O God: I cannot understand the object of framing this law. The people say that in framing this law the Government have not used farsightedness. They say that just as the laws of Nature are unchangeable, similarly all the human beings are alike in the eyes of God and in order that the Government may earn good name and all things may go on smoothly, all the subjects should receive equal treatment at the hands of the Government. It has not benefitted the zamindars but it has rather harmed them. It is due to the enforcement of this Regulation that the land of the zamindars which could fetch Rs. 500 cannot fetch even Rs. 100. They are weeping over their lot and have sold even their daughters. This Regulation has totally ruined them. The big guns ask them to go and beat their breasts. The people are experiencing great hardships and their condition is going from bad to worse. I have always been speaking the truth. I have been touring in British India and in the State as well and wherever I went the Hindus as well as the Muslims came to me called me a worthless leader because I could not put an end to their sufferings. I have a large number of friends in Illaqa Rajouri most of whom are Mahajans. I admit that they might have got executed in their favour many pronotes fraudulently and dishonestly. I do not say that the Mahajans are free from faults. The Mahajans, Khatries, Brahmans and all others do evil acts and receive bribes. Sir I

was submitting that the persons sitting in front of me belong to an intelligent class and therefore it is their duty to prove beneficial for the people. A poet has said :

That is the people are the roots while the ruler is the tree. O my son : the tree will be strong only if the roots are firmly fixed to the ground. I want that such measures should be adopted which may free the zamindars from debts, remove their difficulties and save them from the atrocities of the corrupt officers. In spite of the fact that anti-corruption committees have been appointed the corruption is increasing day by day. We give notice of many resolutions relating to the well being of the people but unfortunately they do not succeed in the ballot, and if by chance they succeed in the ballot, the time allotted for their discussion is very short. Here the time is limited. Nanda Sahib has worried me much. The House as a whole is sympathizing with the zamindars and they want that the Mahajans may be wiped away from the surface of the globe. If the Government were in their hands, the Mahajans would have long been extinct.

SHEIKH MOHAMMED AMIN : Are you opposing the resolution of Mr. Nanda ?

LALA SHIV NATH NANDA : No he is supporting my resolution. (Laughter).

LALA HANS RAJ : I am opposing it (Laughter).

MR. PRESIDENT : (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Your time is over. Please finish up soon.

LALA HANS RAJ : Sir, who many minutes more for me?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Only three minutes.

LALA HANS RAJ : All the communities have been created by God. The Englishmen who are ruling a vast empire, know as to who loot the people. There is no such law in England which fans class hatred and teach to plunder others. I am not saying it with an evil intention but I am expressing the bare truth.

It is not that the tryant will remain alive for ever, go no adding injustice but he too will die some day or the other. I am a true friend of the zamindars and I want that bribery may come to an end. My submission is that as proposed by Mr. Nanda a committee consisting of three members, the Hon'ble Revenue Minister, the Hon'ble Judicial Minister and the Hon'ble Prime Minister, should be appointed and we shall appear before them and place all facts before them and it should be ascertained as to which class of people is oppressing others and who are sucking the blood of the poor ? I do not understand why they are cursing us. We paid Rs. 600 - for a land worth Rs. 500/-. Now the big zamindars have taken possession of land and we have been reduced to the nominal zamindars only. The tie of love which

united the zamindars and the Sahukars has been broken. I am not opposed to education but the present system of education is proving to be unwholesome.

MR. PRESIDENT (The Hon'ble Sir Lal Mukerji Kt :) Your time is over. Now let some other member speak. Time limit is necessary.

L. RAM LAL : Hon'ble President and respected members : I want to place some facts before the House in support of Lala Sahib's resolution. The resolution demands the appointment of a Commission. This resolution has been moved on account of the fact that in reply to a large number of questions it was stated on behalf of the Government that if it is proved that a certain class of people depends mainly on agriculture, then that class will be declared as agriculturist. No opportunity of expressing their ideas was afforded to the people at the time of preparing the list of agricultural classes. When we look at the list we find that some communities have been ignored while we have been told that at the time when the list was prepared, the view point of every community was taken into consideration. We find that some Vairagis a sect of Hindu Sadhus who have renounced the world and have no rights to any property have been declared as agriculturists. But that is not all. Take the case of..... ..whose number does not exceed four or five thousand souls, but they are shown as agriculturists.

PANDIT LOK NATH SHARMA: QUESTION : Where have you got those figures from ?

LALA RAM LAL: My submission is that I do not mean to say that a particular class should not be declared as agricultural class but the allegation against the Khatries and Mahajans that they are capitalists is not correct. As has been stated by Lala Sahib, this capitalization is only by name. In reality they possess nothing. Lala Sahib has proposed the appointment of a commission and this question can be solved by the appointment of a Commission ; there is no reason why the Government should not agree to it. I submit that a commission should be appointed and if it is proved that some Khatries depend mainly on agriculture, they may be included in the list of agricultural classes. One of the tehsils in Illaqa Poonch is populated by Mahajans whose chief source of livelihood is agriculture. They submitted applications for being declared as agriculturists. An enquiry was held and the Tehsildar submitted his report in their favour but it was stated in reply that they cannot be declared as agriculturists. I asked by means of a question that the report of the Tehsildar should be read in the House but the Wazir Poonch stated that the report is confidential We are being slaughtered from all sides Those who say that the Mahajans and Khatries are not agricul-

turists are not the true representatives of those who have sent them in the Praja Sabha because they are capitalists themselves and they by supporting such laws are clearing the way for themselves that they can purchase the lands of the poor zamindars at cheap rates. Therefore there is no reason why such Khatries who depend mainly on agriculture should not be included in the agricultural class, particularly when their demand is a legitimate one. The only question is about the appointment of a Commission. Therefore I hope that the Government will not oppose this resolution but will support it. It is written in the religious books and has been said by the religious leaders also that such and such classes will take to agriculture. It is written in the Hindu Law of Manu that the Vaishas will take to agriculture and these Vaishas are no other than the Mahajans and Khatries. At the time of framing this law, this fact too has been ignored.

MR. PRESIDENT. (The Hon'ble Sir Lal Gopal Mukerji Kt.): Now we shall again meet at 2 O'clock

AFTER LUNCH.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Mr. Ram Lal is to speak.

LALA RAM LAL : Sir, I was submitting that it is written in the Hindu Dharm Shastras that the Vaishas should take to agriculture but inspite of all this their rights have been ignored and I would submit that the present Law has hit the Khatries very hard. For instance the Agriculturists Relief Regulation is enforced in the State directly from Bombay with the result that the Sahukars have been deprived of all property that was left with them.

MR. PRESIDENT (The Hon'ble Sir, Lal Gopal Mukerji Kt.) : The resolution relates to the Khatries only.

LALA RAM LAL : The Vaishas are also Khatries. I submit that they have been reduced to a miserable plight and therefore they are demanding the appointment of a Commission.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The resolution relates to the Khatries only and therefore you should confine your speech to the Khatries only.

LALA RAM LAL : I shall speak about the Khatries only. There was a time when they were carrying on trade on a large scale but now they have become bankrupts. For instance a law was passed in the last Jammu Session according to which the land of the agriculturists cannot be auctioned and this is how Sahukars have been ruined. therefore I want to invite the attention of the Government to the promises made by them for safeguarding the interests of the minorities. If the Government would not do their duty,

these communities would perish. They do not want to be declared as agriculturists but they assert that since their occupation is agriculture, there is no reason why the commission should not be appointed. In this connection I can cite a number of examples. In the Punjab the Khatries are regarded as agriculturists. The Khatries are regarded as agriculturists even in our neighbouring Districts of Rawalpindi and Jhelum. Therefore their demands should be taken into consideration and the Government should not offer opposition to the question of the appointment of a Commission. When this Regulation was enforced in Poonch, the Sheikh Community was declared as agricultural community. What an impropriety is there in the fact that if the Mahajans convert themselves to Sheikhs, they would be regarded as agriculturists. I do not understand the reason for disregarding the injunction of Manu to the effect that the Vaishas should take to agriculture, I would, therefore, request the Government to appoint a commission and not pass an *ex-parte* judgment.

Lala Hans Raj has said that the Mahajans and Khatries were doing bad deeds but my submission is that no other community is free from such things. Therefore the Government should not oppose the appointment of a Commission.

RAO BAHADUR MAJOR GENERAL JANAK SINGH JI: Sir, in my opinion, a lot of time of this House is wasted, because the form in which this resolution has been moved is not in accordance with the law in force at present. Had the resolution been that the Government be requested to appoint a commission which may hold an inquiry to the effect that those Khatries and Mahajans who by mistake have been declared as non-agriculturists in the past should be declared as agriculturists, it would be quite right. This Regulation pertains to communities and not the individuals. In my opinion this resolution is not admissible.

MR. GHULAM MOHAMMED SADIQ: Sir, I want to oppose this resolution on two grounds. The one is whether these classes have on been entered by mistake and whether there is any remedy for them or not ? There is a provision in this Regultion to the effect that those poople who have any grievance in this behalf can make an application to the Governor and the Governor is authorized to make an enquiry in this behalf and if on enquiry it is found that any tribe has been left out, he can include it in the list of agricultural classes.

LALA SHIV NATH NANDA: What is that rule ?

Mr. GULAM MOHAMMED SADIQ: All this is published in the Government Gazette.

The mover of this resolution has demanded the appointment f a Commission. The holding of an enquiry requires a lot ofew otime. Moreover it will be a mere waste of public money, the tim

of the public representatives and the State Ministers will also be wasted and all this will be of no use. On these grounds I want to oppose it. The object of framing this Regulation deserves attention and that is to deprive the real zamindars of their lands and entrust it to non-agriculturists. It has been stated in this House that the Khatri community should he declared as agricultural class. What I have gathered from my experience is that the Khatries and Mahajans inhabiting this country are generally traders and money-lenders. I would like to make it clear before the House that the zamindars have grown utterly sick of the Sahukars and the Government are to a great extent responsible for all this. It is not that all the Khatries are dangerous but most of them like the other Sahukars are dangerous. I would submit to all those members who profess to be the representatives of the zamindars that the enemy is very clever and active and is slowly marching to their camp and is threatening to swallow up the rights and interests of the zamindars. Therefore they should also be alert. There is an example that they want to come down upon the zamindars just as a wolf in sheep's clothing slowly enters the flock of sheep and wants to attack them.

LALA RAM LAL : Sir, he has called the Khatries as wolves.

MR. M. A. BEG : I am sorry if there is any cat :

SHEKH ABDUL HAMID : You may call them lions.

MR. GHULAM MOHAMMED SADIQ : Let them be called as lions. Can any person tolerate a lion like the one I have already referred to and can anybody tell that if a lion enters a flock of sheep , he would not destroy all the sheep.

LALA SHIV NATH NANDA : The lion will eat up one and all.

MR. GHULAM MOHAMMED SADIQ : Certainly. Mr. Nanda has advanced an argument that the Khatries are in the possession of ample land. He and his supporters must be knowing how they acquired that land. Has this land been devolved upon the Mahajans and the Khatries by inheritance as is the case with the poor zamindars or has they made it worth-cultivation themselves.

LALA SHIV NATH NANDA : Land cannot be made with hands.

MR. GHULAM MOHAMMED SADIQ : There was time when the whole of the land in the State was uncultivated and the poor zamindars by hard labour, made the barren lands worth cultivation. To say that the Khatries are in possession of ample land is no sound argument. Is the House aware of the means by which that land has been acquired. It has been acquired at the cost of the zamindars. Therefore I strongly oppose this resolution and let all those members who reperesent the zamindars imagine as to what would be the result if they voted in favour of the resolution. And what reply will the representatives of the zamindars give to their voters and how will they prove whether the representatives of

those who have sent them in this House. Under the present conditions the Government if they have any sympathy towards the zamindars should oppose this resolution strongly.

THE HON'BLE MR. K. N. KNOX: Sir, I thought that there was very little difference of opinion about the resolution which has been moved. They want that the Khatries should be declared as agriculturists and this Regulation should be repealed. There is a difference of opinion. In my opinion these people should not be declared as agriculturists. (Cheers). Their intention is that by their being declared as agriculturists they would be able to purchase lands of the zamindars. When the application was presented to me, I asked the *assamis* as to whether by declaring them agriculturists, the price of the land will be lowered. I told them that the Governor will make an enquiry and if the Governor is convinced that these classes are agriculturists from the beginning, I will help in every possible way. But if it is not proved in that case, I am not prepared to help them. The Government has every right to declare any person or class as agriculturists or non-agriculturist.

Besides what else do you want? Do you want a Commission or you want simply to raise objections? If it is proved that they are agriculturists, then perhaps the Commission may be needed. But you have stated that such and such Khatries owns 20 or 30 thousand kanals of land but you have not stated as to whether they are the owners of that land from the beginning or they have purchased it from the agriculturists. This too has not been stated as to whether they cultivate themselves or get it cultivated by other zamindars. (Cheers). It is a difficult matter to declare those as agriculturists who do not cultivate land themselves. If the Mahajans and Khatries prove that they cultivate land with their own hands or that they are in fact agriculturists and therefore they should be declared as agriculturist, then I think the Government will have no objection. But it is impossible for the Government to accept this resolution. If large number of Khatries are declared as agriculturists even then this regulation will remain in force. In the presence of this Regulation such a resolution should not be moved. It would be advisable if this resolution is withdrawn, therefore, I strongly oppose this resolution. (Cheers).

COLONEL ABDUR RAHMAN KHAN: Sir, I want to state only a few facts which have not been mentioned. None of the supporters of Mr. Nanda's resolution demanding the appointment of a commission with a view to declare the Khatries as agriculturists has so far referred to the means by which they acquired the land.

SHEIKH ABDUL HAMID: How have you acquired the land?

COLONEL ABDUR RAHMAN KHAN: We have acquired land with the help of spades, muttocks and ploughs and therefore we

are agriculturists. (After listening to the conversation of the members addressing the Hon'ble President) Sir, just see, they will again draw your attention to the Rules of Business. They do not know that the Hon'ble President has given me time to speak and not to them and then Mr. Nanda will complain of being called a dishonest man. Sir, you can enquire of the reporters that I never called him a dishonest man. Reasonable persons should not care for such things (Laughter). Sir, even upto this day there is a saying in our country:—

It is taught to them at their birth to make Rs. 21 out of one rupee and making more than that depends upon their own intelligence. They have acquired this land by making 21 out of one rupee.

A VOICE : Please let me also know this.

COLONEL ABDUR RAHMAN KHAN : To make 21 out of one depends upon one's intelligence and anything over and above that due to them like their mother's milk. It was proper for the Government to acquire all the land from the non-agricultural classes and make it over to the poor zamindars.

Our friends take pride in saying that we are in the wrong and they are in possession of thousands of Ghomauns of land, but they cannot tell how they have acquired this land. Nobody has stated so far that they are in possession of land because they could earn more by other means than they could expect from land. It is true that they have acquired land from the zamindars whether by fair or foul means but they can do them no harm in future. In the Punjab too, a big deputation from one or two places waited upon the Punjab Government and made a request to the effect that those Khatries who are connected with the zamindar classes but were taking to money lending business and trade should be included in the list of the agricultural classes. But there also they were told in reply that they cannot be declared as agriculturists. If this resolution is passed, many difficulties will be created in this Regulation on account of the fact that the intention of the resolution is to get the law relaxed and thus become less stringent. In this case the following verse holds good :—

That is showing mercy to sharp teethed tiger results in an oppression to the sheep.

This will make the whole thing topsyturvy. In Kashmir Province the zamindar under the present Regulation alienate one fourth of his land and if the law is relaxed, he will be deprived of the remaining three-fourth part also and the whole of this land will be purchased by the money lending class who are pre-eminent in trade, contracts and other business. The present regulation was framed after full consideration and in consultation with the learned Ministers and I would further say that another more stringent law should be framed whereby the lands of the zamindars

may be saved from the clutches of the capitalists.

A community can be said to be following that profession which is adopted by the majority of its members. If there are a few persons in the Khatri community who are following the agricultural profession or are discharging the duties of Lambardar or Zaildars, then on this ground the community as a whole cannot be declared as agricultural community. I think the mover or the supporters of this resolution cannot cite any example that such and such Khatri hss cultivated the land himself or worked in the field. I think none would, however, see such a thing. Even the big officers of the State who held responsible posts in the Revenue Department and have an experience of more than forty years would have seen any shop keeper cultivating the land with his own hands or even taken the plough in his hand. My friend Mr. Nanda has stated that there is a large number of such Khatries who depend chiefly on agriculture and cultivate land with their own hands. My submission is that there is no such Khatri who is taking to agricultural occupation. The Khatries cannot put up with this difficulty of going to the fields, cultivating land and earning their livelihood with the sweat of their brow. On the other hand he sits comfortably on his shop, purchases grains at cheaper rates and sells it at higher rates and thus can reap much benefit in spite of the fact that the law is in force at present. Under these circumstances if this resolution is accepted, it will amount to entrusting a lamb to a wolf..

SARDAR HARI SINGH : The object of the resolution is this that those Khatries whose chief source of livelihood is agriculture should be declared as agriculturists and there is no reason why the Khatries should not be declared as agriculturists. What has been stated by my friend in opposing this resolution that acting in such a way will amount to putting the lamb in charge of wolf, does not hold water. It would have given me pleasure if those Muslims who are taking to trade, are shopkeepers and some of them are money lenders, a profession prohibited in the Islamic religion, would propose to be excluded from the list of agricultural classes.

(Conference Party - Quite right)

Besides this I submit that my friend Colonel Abdur Rahman Khan has just now stated that the Khatries do not cultivate land with their own hands but there are, at the same time, many Mohammedans also who do not cultivate land with their own hands but they are regarded as agriculturists. Every agriculturist does not depend on agriculture alone but in addition to agriculture he has to attend to other things also. I would submit for instance that in the last Jammu Session of the Praja Sabha, a resolution was passed to the effect that goods costing Rs. 25 imported on

their return by all such labourers of the State who go to the Punjab in search of labour, should be exempt from customs duty. Because all those labourers are zamindars, does it mean that since they take to other occupations they are not to be regarded as agriculturists. They attend to agricultural occupations at the harvest time and when they are free from agricultural occupation they attend to other works. There are such Muslim members of this Praja Sabha who do not till land with their own hands but still they are regarded as agriculturists. Similarly if the Khatries take to agricultural occupations and when free therefrom attend to other work, there is no reason why they should not be included in the list of the agricultural classes. Secondly I want to submit that it has been stated in the House that in the beginning the zamindars were Muslims and that the Muslims alone are agriculturists in the true sense of the word. To say that the Muslims alone are attending to agricultural occupation and the Khatries do not or cannot do that, is in no case correct. My submission is that profession is not inherited. No person inherits any particular profession from his very birth. Every person can follow any profession he likes, may it be agriculture. It is strange that those people who do not cultivate land with their own hands have been declared agriculturists, while the Khatries who cultivate land with their own hands are not regarded as agriculturists, although they attend to other works, like the other zamindars, when they are free from agricultural work. The resolution that has been moved is quite reasonable and should be accepted.

PANDIT RAM CHANDRA DOBEY : I want to submit that the Regulation which was enforced in this State in the beginning was similar to this resolution, that is those persons whose chief source of livelihood was agriculture were declared as agriculturists. But then after a careful consideration the Government fixed a criterion for the agricultural and non-agricultural classes. If the resolution is put into practice at present, it will give rise to many defects as has been the case in British India. The idea of declaring a particular community as agriculturist under this Regulation will create a fresh disturbance. Of course, those persons who mainly depend on agriculture can by furnishing proof of being so, be included in the list of agriculturists. This resolution cannot be accepted in its present form. There are many far off places in the State which cannot be properly protected even by the present regulation. For instance the rights of ownership have been granted to the zamindars of *Illaqa* Ladakh. They want such a law whereby even the zamindars cannot purchase each other's land, because on account of the poverty small peasant proprietors alienate their small plots of land to the big zamindars. This is a problem which at one time or the other

will have to be considered by the Public as well as by the Government and the Government with a view to save their lands will have recourse to some preventive measures. Therefore in my opinion the appointment of a commission will not be advisable.

SARDAR KANHAYA SINGH : Sir, the wordings of the resolution of the mover are that a commission should be appointed which may hold an inquiry to the effect that those Khatries who mainly depend on agriculture should be declared as agriculturists. By enquiry he does not mean that a commission be appointed for those persons who depend mainly on agriculture. But that is not the case. If it is accepted then to-day a commission will have to be appointed for the Khatries and after this for the Mahajans, and similarly for the Sikhs and Muslims also, because many of them are non-agriculturists and thus this matter will never come to an end, as has been stated by General Sahib that this matter will be prolonged. It has been stated in the House and it is provided in the present Regulation that if anybody in any community has been declared as agriculturist, he can, by furnishing proof, be declared an agriculturist. If the Government makes it clear that they would declare as agriculturists all persons who are taking to agriculture and depend mainly on agriculture except the money lenders, it will be the best thing, especially when there is a provision in the Regulation that anybody who wants to be declared an agriculturist, should furnish proof to that effect. Thus the result of recommending the appointment of a Commission to the Council will be that this will pave a way for every class to demand the appointment of a commission, therefore, in this matter, I agree with General Janaksingh.

LALA SHIV NATH NANDA : Sir the matter has become very complicated. First of all I want to reply to what has been stated by General Janak Singh Sahib. First I thought that General Sahib was supporting my resolution because my resolution is similar to what has been stated by General Sahib, that is, if any community has not been included in the list of agricultural classes by mistake the Government should be requested to appoint a commission and the Government also would not experience any difficulty. Those Khatries who mainly depend upon agriculture should be declared as agriculturists. I asked many questions in the Praja Sabha and it was stated in reply thereto that if there is any such mistake it can be rectified. My object of moving this resolution was also the same. If my resolution is carefully considered all these speeches which have been made in the House in this behalf, will be rendered useless We submitted many applications and sent many deputations but the Government paid no heed to it. Had the Government given consideration to our applications and deputations, I would have not felt the necessity of moving this resolution.

Now I would say something regarding the speech of Mr. G. M. Sadiq. He is a well read gentleman and what he has said may be correct. My submission is that I have not understood words. "Beware of the foe" which he has stated. The question of enmity does not arise here. We are all friends and wish to live like friends. If anybody comes to me and expresses his desire to adopt the profession of a money-lender, I will be glad and will be prepared to welcome him at all time, but the statement of my learned friend goes to show that a guilty mind is always suspicious. My friend has referred to a wolf and said that the wolf will devour all the sheep. I submit that my request before the House is that those few Khatries whoes chief source of livelihood is agriculture, should be declared as agriculturists and for this purpose a commission be appointed which may hold an inquiry and submit its report. It is not our desire that all the Khatries should be declared as agriculturists. My esteemed friend has stated that the Khatries are mos ly money lenders. He is a law knowing man and can understand every thing in a better way. I would cite an instance in this case. If we are ten brothers and three or four out of these take to agriculture while I am following the profession of a money lender. If agriculture forms the chief source of livelihood I find no reason why these and other brothers of mine should not be declared as agriculturists. It is not proper and just to harm them for my sake. Another question which has been raised is that wherefrom have the Khatries acquired this land This question has given me some pleasure. It is true that wise people generally ask such questions which cannot be understood by others. It is said that land is stolen in Kashmir. The Khatries earned money and purchased the land with that money and they did not steal it. After purchasing land they cultivated it and my friend ought to have felt grateful to them but sorry to say that now it is being questioned as to how did they acquire the land. I would submit that none but God is the owner of land and if a question as to wherefrom did God acquire this land is raised, then it would be impossible for a person like myself to give a reply to that. Now I will reply to the objections raised by Colonel Abdur Rahman Khan. He has stated that with the object of being their declared as agriculturists, a deputation of the Khatries waited upon the Hon'ble Prime Minister of the Punjab but they did not succeed in their mission I submit that it is not my demand that all the Khatries should be declared as agriculturists but only those Khatries who mainly depend upon agriculture should be declared as such, as is the case with some classes, majority of whose members depend mainly on agriculture.

I want to confine myself within the present Regulation. Had my demand been with regard to all the Khatries and Mahajans the matter was quite different. I do not understand

how on hearing the very name of Khatries, the idea of enmity has come to the mind of my esteemed friend.

Now I want to submit to General Sahib that the only difference between the word "Kshatri" and "Khatri" is that the latter is a changed form of the former The reason is that those who took arms in their hands were called Kshatriyas while those who took to trade were called Khatries. General Sahib ought to have explained to the house that there was no difference between the Kshatriyas and the Khatries but there is a difference of words only. It cannot be said that one can take to trade, Government service and agriculture while the others cannot do that. There are many such Khatries who can handle a gun and can do other works as well. I too can discharge a gun. Pandit Ram Chandra Dobey the leader of our group has stated that a regulation was framed in 1982.

A VOICE : In 1972 and not in 1982.

LALA SHIV NATH NANDA : Yes Sir, in 1972. Pandit Ram Chandra Dobey has perhaps forgotten that under that regulation no Government servant could become an agriculturist and this is the reason why in 1982 an amendment was made in this Regulation and a provision was added that if a person enters Government service, but does not adopt it as his permanent profession, he should not be regarded as a non-agriculturist. The Regulation of 1982 is wider in scope than the Regulation of 1972. Pandit Dobey has opposed on this ground that there can be likelihood of corruption.

My submission is that there can be no corruption because an honest man cannot be afraid of corruption, I agree with him that there are many zamindars in this House and I think the percentage of such big zamindars is 60 or 70 per-cent., but these big zamindars are not prepared to relinquish their rights to their lands.

Our Government have always declared it in this House that if any community has been ignored they are prepared to do justice to that community. We have tried our best to prove it to the satisfaction of the Government that some of the Khatries are unjustly treated in this matter but because our petitions and deputations have not so far produced any effect on the Government, therefore I thought it necessary to move this resolution demanding the appointment of a Commission.

The Commission may consist of the Hon'ble Revenue Minister, Thakur Kartar Singhji and General Sahib and they would themselves find as to whether any injustice has, in the matter been done to the Khatries or not. It would not be difficult for the commission to ascertain this matter and a thorough enquiry would be made in this behalf. One of my respected friends has raised the plea that the appointment of Commission would involve much expenditure. In this Session I have given notice of a question to the effect that how many commissions have so far been appointed, what expenditure has been incurred on them and what useful work have they done? The main object of moving this resolution is to know whether the Government are in reality, prepared to spend some amount for the purpose of doing justice or not. I am justified in demanding the appointment of a Commission. Therefore the Government have to bear an expenditure of Rs. 1,000 or Rs. 1,500 for the sake of justice. I think they would not care for it because by doing so, justice will be done to a community which is being unjustly treated.

When a certain class of people demand the appointment of a commission, then there is no reason why any objection should be raised in regard to a just demand. Therefore I would submit before the Hon'ble Prime Minister and Hon'ble Revenue Minister that the Government should themselves give an assurance to them that they are prepared to hold an enquiry by appointing a commission and we are told that it can be done under Section 6. If the Commission finds that there are some Khatries who really deserve to be declared as agriculturists, then orders to this effect may be issued, and if the commission thinks that their demand is not just then it can, after making an enquiry, give its decision against them. The commission sholud take evidence and in this way this matter will be settled. I hope that the Government will not have any objection in appointing such a commission.

Sardar Kanhaya Singh said that we gave notice of moving an amendment to this resolution that the word "Sikh" may also be inserted along with the word "Khatri." I am sorry that his amendment could not be accepted otherwise he too would have supported this resolution strongly. Yesterday was a holiday, therefore his amendment could not be accepted and I am not to be blamed for it. But sorry to say that he is blaming me for that (Laughter). The object for which this Praja Sabha has been constituted is that every one may be able to demand justice I want that justice be done to the Khatries. I shall have no objection if along with Khatries some other class also is included in the list of the agricultural classes. Therefore I submit that a commission should

be appointed which should submit its report after holding an enquiry.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : No body on behalf of the Government please ?

THE HON'BLE MR. K. N. KNOX : No Sir, I have already said.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : All of you have heard the speeches. Those who are in favour of the resolution will please raise their hands.

(NOTE.—Hands were raised.)

Now those who oppose this resolution will please rasie their hands.

(Hands were raised)

The resolution is lost.

LALA SHIV NATH NANDA :I want division.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : There are only 8 members in favour of your resolution.

MR M. A. BEG : It would be better if we stand by blocks.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : All right.

The House divided as follows :—

Ayes ... 9.

1. Pt. Jia Lal Kilam.
2. Pt. Gobind Ram Kabu.
3. Pt. Amar Nath Kak.
4. L. Shiv Nath Nanda
5. S. Dhian Singh.
6. S. Hari Singh.
7. L. Hans Raj.
8. L. Amar Nath Kohli.
9. L. Ram Lal Vakil.

Noes ... 54.

1. Dewan Bahadur N. Gopalaswami Ayyanger.
2. Major General Nawab Khusru Jung.
3. Rao Bahadur Th. Kartar Singh.
4. Mr. K. N. Knox.
5. Sahibzada Sir Abdussamad Khan.
6. Rai Sahib Pt. Ram Chand Kak.
7. K. B. Raja Mohammed Afzal Khan.
8. Wazir Feroz Chand.
9. Pt. Ram Nath Sharma.
10. Rai Bahadur Pt. A. N. Purbi.
11. S. Kanhaya Singh.
12. Col. Abdur Rahman.
13. Pt. Ram Chandra Dobey.
14. Wazir Ganga Ram.
15. Kotwal Lakshmi Ram.
16. Sultan Feroz-ud-Din Khan.
17. Bakshi Moti Ram.

18 Dev Raj Shastri.
19. Kh. Saif Shah.
20. Kh. Suna Ullah.
21. Raja Murawwat Khan.
22. Kalon Labzang Chewang.
23. Wazir Mohd. Khan.
24. Lajpat Rai Sariyara.
25. Major General Janak Singh.
26. K B. Thakur Agha Syed Hussain.
27. Wazir Tej Ram.
28. Col. Sansar Singh Ji.
29. Rai Sahib Pt. Shaym Sunder Lal Dhar.
30. Pt. Ram Chandra Razdan.
31. Khan Sahib Mirza Ghulam Mustaffa.
32. Major Th. Prem Singh.
33. Risaldar Th. Sadhu Singh.
34. Ch. Abbas Ali Zaildar.
35. Ch. Abdulla Zaildar.
36 Kh. Abdur Rahim Bande.
37. Kh. Safdar Ali
38. Peer Hissam-ud-Din.
39. Moulvi Mohd. Abdulla.
40. Ch. Abdulla Khan.
41. Yebgo Iftikhar Ali.
42. Major Ata Mohammed.
43. Mian Ahmed Yar.
44. Mirza M. A. Beg.
45. Sh Mohammed Amin.
46. Mr. G. M. Sadiq.
47. Mian Qurban Ahmed.
48. Kh. Akbar Dar.
49. Kh. Ali Mohammed.
50. Kh. Ahmed Ullah Shahdad.
51. Syed Hussain Shah Jalali.
52. Kh. Ghulam Hussain Malik.
53. Kh. Ghulam Mohi-ud-Din.
54. Subedar Khan Mohammed Khan.
55. Ch. Abdul Karim.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt :) Nine members are in favour and 55 against the resolution.

SRI PRATAP COLLEGE LIBRARY,

The resolution is lost.

MR. GHULAM MOHAMMED SADIQ : Point of order, Sir. May I Know sir, how many official members are sitting on the Government benches ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt :) It is published and you can enquire it from the office.

MR. GHULAM MOHAMMED SADIQ : What is the number of official members ?

THE HON'BLE DEWAN BAHADUR N. GOPALA SWAMI AYYANGER : What is the point of order ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt :) It is a curiosity which may be satisfied in the office.

MR. M. A. BEG : What the Hon'ble Member means to say, I think is whether the members now occupying the official seats are really entitled to occupy these seats under the existing constitution ?

MR. PRESIDENT (The Hon'ble Sir LaI Gopal Mukerji Kt :) That is a different matter.

RESOLUTION NO. 2. OF SARDAR DHIAN SINGH :

"This Praja Sabha recommends to the Council that the condition of residence within three miles of the forest range imposed by the Forest Regulation be so relaxed that every zamindar may get trees without any difficulty and without incurring double expenditure."

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt :) Two amendments have been moved which you might have seen.

SARDAR DHIAN SINGH : Yes, Sir, I have seen them. Sir, I hope all the Hon'ble Members except the lent officers would support my resolution. The complaint relates to such a differential treatment meted out to the public, the like of which can nowhere be found. Double the rate is realized from the inhabitants of those villages and towns which are not situate within a distance of three miles from the forests, while price at single rate is charged from the inhabitants of those villages and towns which are situate within a distance of three miles from the forest. My submission is that what are those rules under which prices at these rates are realized from the inhabitants of those places where formerly there were no forests. This mild and harsh treatment deserve consideration. If we compare the rates at which timber is sold to the people of towns and to zamindars who live in villages situate at a distance of more than three miles from the forest with the rates in the Punjab, the House will come to know that Deodar timber can be had at a cheaper rate at Jhelum. The people of the Punjab are selling timber at a cheaper rate even after bearing the expenditure of cutting,

sawing and transporting the wood from the State to the Punjab, but the subjects of His Highness the Maharaja Bahadur have to purchase timber at higher rates and have to experience great difficulties. Further the hardships which the citizens have to face is that there is, I think, no forest within a distance of three miles from either the Jammu or the Srinagar city and for this reason it is not proper to meet out a harsh treatment to the inhabitants of these cities. These people also deserve concessions. When the forests were left open to the public, then those who were already enjoying some concessions were granted more concessions but others were deprived of the same. Besides this many other concessions like exemption from Begar, Customs and Motor cess etc., have been granted but no consideration whatsoever was given to the difficulties of the zamindar public. In Kashmir those people who do not possess enough money for purchasing timber build grass huts which easily catch fire. If they could purchase timber and thus build pucca houses, their difficulties can be removed, and there would have been no necessity of the resolution moved day before yesterday for providing fire pumps. It is a fact that a person is faced with this difficulty of not getting timber wood right from his childhood to death and he does not forget it even after his death. If punitive police is posted at some place, it is removed after the expiry of the fixed period but we do not know how long will this punishment continue. Therefore I believe that all the hon'ble members will support my resolution so that all may receive equal treatment.

PIR HISSAM-UD-DIN: I support this resolution.

LALA RAM LAL: Sir, I shall support in a few words the resolution moved by Sardar Dhian Singh. The amendment is not yet moved. The principle put forward by Sardar Dhian Singh is this that the condition of the residence within three miles of the forest range imposed by the Forest Regulation be so relexad that every zamindar may get trees without any difficulty, and without incurring double expenditure and it is quite advisable. I do not want to say anything about the State but would like to submit something with regard to Illaqa Poonch. In Illaqa Poonch the zamindars have to pay the price at double rates and they have been deprived of the concession granted to those who live within a distance of three miles from the forests. There is no reason why the Government should oppose this resolution, I would appeal to all the respected members of the House to co-operate with us so that the poor zamindars and the other people may be able to derive benefit from it and I strongly support this resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) I decide to take the resolution first and then the amendment.

THE HON'BLE MR. K. N. KNOX: Sir, I am sorry I could not find time to examine this resolution minutely or understand it fully, as I read it only yesterday. But I have received a few notes from the Forest Department which show that during the settlement it was decided that persons residing near the forests may be given some rights. It was stated that forests were a great treasure of the Government and it was decided that zamindars living in the villages adjoining the forests may be permitted to take wood for their personal use and render help to the Forest Department instead in case of emergency. As a result of it Forest Regulation No. 2 was published. This concession was limited to persons residing within three miles from the forest area and it was incumbent on them to help the Forest Department in lieu of this concession. For example, in case of fire, they were bound to extinguish it. Afterwards in 1933, instead of three miles the concession was extended to five miles area. So far as my knowledge goes, no particular concession is given to public at large in other places.

If it be admitted for a short while that concession is extended upto ten miles, even then it could be practicable. But in case the concession is extended upto twenty miles, then forests will suffer a huge loss. The Forest contractors will take undue advantage of this concession. The mover has said that people in the Punjab get State wood at cheaper rates than Jammu people. It is because of two reasons. In the first instance cities situated at the banks of rivers get wood more easily than other places. The second reason is that there is generally a big market in such places and Sahukars after spending lot of money receive wood direct from the forests. Hence they can supply wood at cheaper rates. There is not much demand for it in the State. Secondly it has been stated that forests are a huge treasure of the State which if properly arranged can prove as an alternative to taxes and a source of income to the State. Otherwise the State itself will have to contribute something from its capital. If concessions are increased the jungles will be devastated. The second reason is that management and control of this concession will become extremely difficult. It is very well known that wood used to be stolen from the forests every year and was neither beneficial to the public nor to the forests. On the other hand it proved disastrous for the forests. Besides, if people residing in the neighbourhood of the forest area are given concessions it is not difficult to control their actions. But if people residing within five or six miles of the forest area are granted these concessions, it becomes impossible to manage them. If the zamindars are granted concessions, other persons will profit by it and this "Ijazat Nama" (permission card) will be utilized for illicit

sale of wood and the forests will suffer a great loss and the contractors alone will profit by it. For these reasons, I am obliged to oppose this resolution.

PANDIT RAM CHANDRA DOBEY: This resolution could in no case be placed before the House. From the "Village boundary" it is meant three miles. Here it is written "three miles from the forest range, whereas one forest range includes many forests. If there are twenty forests in a range, all the villages surrounding those forests will receive similar amount and number of concessions. The concessions that were granted at the settlement, were conditional. In case there was fire the zamindars were bound to help in extinguishing it. So if this resolution were allowed to stand and instead of three miles the limit is fixed at five miles or more than that, it will not result in anything better.

PANDIT AMAR NATH KAK: Sir, I refer to Rule 75 of the Rules of Business and Procedure. It comes into operation after the amendment is moved. My submission is that the stage of using the discretion in regard to the original resolution and the amendment comes after the amendment is moved and at the time of voting. The procedure prescribed here is that the original resolution will be moved and the amendment also be moved. It is not sufficient that the notice of amendment is given. The Resolution must be moved and supported. The amendment must be moved then. The discussion on the original resolution and the amendment will proceed then. When the stage of voting comes the President can use his discretion as to whether he will allow voting on the original resolution first and then on the amendment or the voting be allowed simultaneously. The procedure now adopted is not in accordance with rules.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Your contention is that according to the rules after the resolution has been moved and supported any member may move an amendment to the resolution and when the amendment has been moved, the members of the House will speak on both the resolution and the amendment.

PANDIT AMAR NATH KAK. Yes Sir, and at the time of voting you may split up the original resolution and the amendment in two parts and let the House consider the original resolution first and then the amendment.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): If both the resolution and amendment are discussed together at one and the same time there would be a great deal of confusion.

PANDIT AMAR NATH KAK: But the rule is to be followed and accordingly the amendment will be moved. Unless the rules are amended, this procedure has to be followed.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.):

(addressing Major Mirza Atta Mohammed Khan) You continue your speech.

MAJOR MIRZA ATTA MOHAMMED KHAN : My submission is that in view of these circumstances the zamindars may be allowed the opportunity of enjoying this concession. The zamindars after undergoing a lot of trouble get wood even when they are within three miles from the forest area. This is a very useful resolution. The Government would not have to suffer by its acceptance. In case of fire, it is the zamindars of the neighbouring villages who arrive at the spot and extinguish it. So the Government would not suffer by allowing the zamindars to get wood from the forests. Since this resolution will prove very beneficial for the poor agriculturists it may be passed.

PANDIT GOVIND RAM KABU : What I want to submit in favour of this resolution is that exceptions are made even in the concession which is extended to the zamindars living within three or five miles only to obtain wood. This concession is limited only to those who are within three or five miles whereas in case of fire people from 15 miles distance are sent for to extinguish it, although they are not allowed to avail of this concession. Besides this concession is not extended to those who are within the notified area, Town area or Municipal boundaries. If they happen to be within any of these areas they are deprived of this concession, probably this concession is reserved for the zamindars because they are regarded as the backbone of the Government. This would have been very nice but this concession is restricted to very few zamindars. Even this fact is ignored that in case of fire they have to run from a distance of ten or fifteen miles but they are not allowed the privilege of enjoying this concession which is restricted to only those who are within three or five miles from the forest area. God knows why in practice they are deprived of this concession and why this restriction of three or five miles has been imposed ? This is also not intelligible why zamindars in the notified area are deprived of this concession although they pay land revenue, serve the Government, fill the State treasury and extinguish fires.

Keeping in view the above circumstances it is my request that this concession may be extended to all those zamindars who help in extinguishing fire. This restriction of "five miles" may be abolished.

LALA SHIV NATH NANDA : I need not have opposed the resolution if my venerable friends had supported my resolution and not opposed it. If they had not said "the lion should come into devour them up."

The question just now under discussion is very simple and deals with the supply of wood to the zamindars at cheaper rates.

My friend, Sardar Sahib, was quite correct when he said that the zamindars on the breaking out of fire in the forest make a rush to extinguish it. But the compensation asked for is more than the service rendered. My friend, Mr. Kabu has stated that this concession should be extended even to persons living within 13 miles from the forest area. In my opinion the Hon'ble Revenue Minister has rightly opposed this resolution in the fewest words.

He has also said that whatever the Capitalist does, is not for the benefit of the zamindar. And generally it is said that the zamindar fills the State coffers with money earned by the sweat of his brow. I should say, rather it is the Sahukar who fills the State treasury with income-tax and multifarious other taxes. On the other hand the treatment which is meted out to him by the Government does not stand in need of description. He is not given even a piece of land to build a house for himself.

Anyhow, it is the Sahukar who does so much for the zamindar. It is the Sahukar who sends logs of wood by the river and sells them at cheaper rates to those zamindars who live on the banks of the rivers.

Besides if Government have permitted this concession to the zamindars because they help in extinguishing fire in the forests, why do they not grant a similar concession to the Sahukars who do the stacking and floating of wood and help the Government at the time of flood. If the zamindars are given this concession for extinguishing fire, why no concession is given to persons living in cities for doing so many other things. Suppose there were fire in the Shali Stores and the citizens helped in extinguishing it, will they get Shali at cheaper rates than other people. Or suppose a State building were on fire, will they be given Shali at cheaper rates, simply because they helped in extinguishing fire.

My friends want concessions for the zamindars and that even out of proportion, because they think they are the back-bone of the Government and the Government is theirs. My submission is that it is not the zamindar who is the backbone of the Government but it is the Sahukar. As I have already remarked it is the Sahukar who supplies the Government with money and the whole Government machinery is run with it

SARDAR DHIAN SINGH : Since I consider this speech irrelevent as regards the text of my resolution and feel it is sheer waste of time to discuss it any further and in view of another important resolution on to-day's list which is of greater use to the public at large I withdraw my resolution. (Cheers).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Do you want to withdraw your resolution ?

MR. M. A. BEG : As a protest.

SARDAR DHIAN SINGH : Yes, Sir.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You cannot withdraw the resolution without the permission of the House. Permission for withdrawal shall have to be asked for from the House. Those who are in favour of withdrawal may please raise their hands.

(The hands were raised)

Those who are against the withdrawal may please raise their hands,

(The hands were raised)

Motion for withdrawal carried.

PANDIT LOK NATH SHARMA: What about the amendment Sir? Before we proceed with the next resolution the point should be decided whether it was open to the mover to interrupt the speaker in the middle of his speech.

VOICES: At any stage he could do so.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): After the speaker had sat down, if the mover had requested for the withdrawal, your time would have been wasted. It is open to the mover to move in the middle of a speech that he wants to withdraw his resolution.

NOW RESOLUTION NO. III OF LALA HANS RAJ

The Assistant Secretary read out the following resolution of Lala Hans Raj:

"This Praja Sabha recommends to the Council that import duty on salt be remitted in the State;"

LALA HANS RAJ: In the first instance I want to thank Sardar Sahib who has permitted my resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) It is useless.

LALA HANS RAJ: My resolution concerns with reduction of tax on salt imported into the State.

My submission is that this tax may be absolutely done away with. If His Highness accords his royal sanction to this, there would not be any favour greater than this to the subjects. The subjects are already very much indebted to His Highness.

This State is a hilly state and there is a great need of salt for the animals. The more salt we give to the animals the more milk they will yield. You can imagine the good which the abolition of tax on salt will do the people. People in the hills with great difficulty get two or three seers of salt for one rupee. We have heard that whenever the hilly people visit a shop-keeper they ask for a piece of salt which they lick and consider that they have been allowed a great privilege. I mean to say that in hilly tracts people yearn for salt, because it reaches them with great difficulty. I

have seen such people who carry salt on their shoulders from Mirpur to Poonch and it takes them eight or ten days to reach that place. The Custom duty is levied in the most irregular and disproportionate manner. The Custom officials think that they must have brought something along with salt and they besides being searched in the most shameless manner are insulted also.

Salt is one of the essentials of our daily needs. I am fully confident that His Highness the Maharaja Bahadur will abolish the salt-tax. If there is nothing wrong with the House, I am sure no body in the House will oppose my resolution. I don't want to talk on this at length. With these words I present this resolution before the House.

MIAN AHMED YAR: I offer an amendment to this resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): But nobody has yet supported it.

SHEIKH MOHAMMED AMIN: In support of this resolution I beg to submit that while levying duty on salt the principle was that duty should be such as may be easily borne by the people, was ignored. The only fact that income may be increased some how or other was kept in view.

On the mines the price of one maund of salt is Rs. -/3/9. The Government of India charges Rs. 1/8/- as excise duty on it. And when it is imported into the State, the State levies duty at the same rate as the Government of India. And if it is imported upto ten maunds or more than that then duty charged per maund is Re. 1.

Previously salt was imported into the State in bond and there used to be no duty. But now in spite of its being imported in bond an extra duty of Re. 1 per maund is charged on it. But in case it is imported more than ten maunds at a stretch, the duty charged is Rs. 1/8/-. That is to say the duty is enhanced by one and a half. Charging duty to such an extent is not proper in any way. This is not a foreign product, although it is given in the special schedule of the State Tariff, which is meant for the Indian manufactured goods, or goods imported from India. It is highly improper to charge such a high rate of Customs duty on salt. Everybody eats it, and poor people give it to their animals. In many states no duty has been imposed on salt, and besides this many other eatables have been made exempted from it.

The Government will do a huge favour by abolition of duty on salt, because it is unbearable. Therefore I emphatically support this resolution.

MIAN AHMED YAR: Sir, I have made an amendment to this resolution and it is this.

The substance of this amendment is that salt is the most essential elements of human life.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does it not very much widen the scope of the resolution ? There are many things in it and there will be confusion. (addressing the Secretary) What is the rule about amendments ?

SECRETARY PRAJA SABHA : Rule 29 Sir.

NOTE.—The President read out Rule 29 of the Rules of Business

MIAN AHMED YAR : All right Sir, I withdraw my amendment but I want to speak on the resolution.

Since the constitution of the House is hollow, therefore it is for the Government to give proof of their good intention towards every resolution. The Hon'ble Finance Minister while replying a question said that.....

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Just a minute please. I should first like to take permission of the House for the withdrawal of the amendment.

MIAN AHMED YAR : Sir the amendment was just in the course of being moved.

MR. PRFSIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : was it not moved ?

MIAN AHMED YAR ? It was not moved.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : All right, go on.

MIAN AHMED YAR : (continuing his speech) The Hon'bie Finacce Minister was asked about the principle on which the customs duty has been levied and whether it was a protective duty or a revenue duty ? It was replied that it was revenue duty.

In this resolution the abolition of duty has been demanded on one of the most essential elements for human life. In this connection I shall submit that in Mysore and Travancore State 75 per cent. of the things have been exempted from Customs Duty. This duty reflects upon the cultural and economic condition of the people. The effect of this duty is so bad that it leads to the backwardness of the country.

In our State such a heavy duty on salt has been imposed that there are many a people who have to do without it. It is very dear here. If it is sold 16 seers for a rupee outside the State, it is sold at the rate of not more than 6 or 8 seers in the State. In the mofussils-places that are far away from the centre, such as Karnah etc., there it is sold four seers a rupee. The people nowhere can have love and loyal regard for thier country unless they can avail of such petty facilities. When such heavy duty on an item like salt has been imposed how can the people continue their sincerity towards their Government.

The problem presented by the learned mover is before the Congress too. The importance that was attached by the political leaders to the Salt Movement in India is well known to every

body. If this resolution were accepted and tax on salt were abolished quite a majority of the subjects will feel indebted to the Government. Therefore I support this resolution.

MR. PRESIDENT : (The Hon'ble Sir Lal Gopal Mukerji Kt.): We close for the next non-official day, that is, 21st of October 1937.

The House then adjourned till Thursday the 30th of September 1937.

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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

3RD DAY

(30th September 1937)

OFFICIAL BUSINESS

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



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JAMMU AND KASHMIR PRAJA SABHA.

Thursday the $\frac{30th\ September\ 1937.}{15th\ Assuj\ 1994.}$

The Praja Sabha met in the Praja Sabha Chambers at the Raj Garh palaces at 11 of the clock.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the chair.

The Hon'ble President read out the following two rulings :—

To the resolution No. 2 there stood two amendments of which notice had been given by Mian Ahmed Yar. The President allowed some of the members of the House to speak on the resolution and remarked that the amendments would be moved later on.

Pandit Amar Nath Kak rose to a point of order and pointed out that under rule 75 of the Rules of Business any member could subject to rules move an amendment to the resolution after the resolution had been moved. Mr. Kak further pointed out that under rule 78 of the Rules of Business when an amendment to a resolution is moved or when two or more amendments are moved the President shall before taking the sense of the House thereon state or read to the House the terms of the original motion and amendment or amendments proposed and further that it was in the discretion of the President to put first to the vote either the original motion or any amendment which may have been brought forward. Mr. Kak's contention was that any member of the House who wanted to move an amendment should move it soon after a resolution had been moved and second it and that it was only in respect of voting that the President could use his discretion as to whether the original motion or the amendment should be put to vote first.

I think that Mr. Kak's contention is perfectly right.

It is possible that with the resolution and the amendments both before them there may be some confusion in the minds of some of the members of the House as to the exact proposition on which they are to express their views. But the rule on the point seems to be clear and possibly the rule is based on experience gained elsewhere. Indeed these rules appear to have been adopted from the British Indian Rules.

In the circumstances I direct that the procedure contended for by Mr. Kak shall be followed in future.

During the course of a speech which was being delivered

yesterday by Mr. S. N. Nanda on resolution No. 2 the mover Sardar Dhyan Singh stood up and said that he withdrew the resolution. The President proposed to proceed to obtain the assent of the House as to the proposal of withdrawl.

Mr. Lok Nath Sharma rose to a point of order and asked if it was open to the mover of a resolution to propose its withdrawl while any of the other members was speaking. The President ruled that it is in order that the mover should express his desire to withdraw his resolution at any moment. No rule of the Rules of Business is applicable to the question raised but it seems to the President that to allow the speaker for the time being to finish his speech would amount to a waste of time. If however the House decided not to allow the resolution to be withdrawn the member who was speaking and was stopped would be entitled to speak on the resolution again and to finish his speech.

QUESTIONS AND ANSWERS.

127. JAGAT RAM ARYAN (Udhampur Wazarat :Hindo) : Do Government admit that only such persons who possess very good moral character should be employed in the Educational Institutions? If it is correct, it may kindly be stated why Master Umar Hayat teacher instead of being punished has been promoted to a higher grade? Does not this course of action adversely affect the character of the students?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Yes. There is no record against Umer Hayat's moral character.

Promotion of Rs. 4 per mensem due to seniority among trained graduates was granted to M. Umar Hayat.

MR. JAGAT RAM ARYAN : In the reply the Hon'ble Home Minister stated that there is no record against this master but yesterday only in reply to a similar questions he stated that the enquiry is being made. I say that the record is available. The Tehsildars report is available.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : When was it told that the enquiry is being made?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD (Home Minister) : The enquiry will be made when the record is available.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You are making an enquiry.

HON'BLE SAHIBZADA SIR ABDUS SAMAD : Yes I shall make an enquiry.

128. SUBEDAR KHAN MOHAMMED KHAN : Seven or eight years ago Burhan Ali Khan Mahaldar of village Chhechan, Tehsil Sidhnoti who was posted at customs post Tatapani went on tour in compliance with the Inspector's orders and was drowned

in the Poonch river in the discharge of his official duties.

The Superintendent Customs recommended a pension for the widow, scholarships for his children and forty kanals of land from the Shikargah ; but no such help has yet been given to the successors of Burhan Ala Khan Mahaldar. This fact was once brought to the notice of Shri Raja Sahib at Palandri but it has been stated till now that the matter is under consideration.

If the reply to the above be in the affirmative, will the Wazir Poonch please, in view of the services of the deceased Mahaldar, grant scholarship to his son who having passed the Primary examination is on account of want of funds unable to prosecute his studies? If not, the reasons may please be stated?

WAZIR FEROZ CHAND (Wazir-i-Poonch) : *1st part.*—The Wazir Poonch is not aware of this case.

2nd part.—Necessary orders will be passed after making an enquiry into the matter.

129. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Is it a fact that the Wazir Poonch opened the Annual Exhibition at Tehsil Mandher? If the reply be in the affirmative, will the authorities please arrange the next year's Exhibition at Rawalkot which is a central place between the two Tehsils Sidhnoti and Bagh so that the zamindars may be able to make improvement in cottage industries?

(*b*) Will the authorities before opening the next Exhibition, allow sufficient time for propaganda so that the zamindars may take keen interest and the unemployment be removed?

(*c*) Will the Poonch authorities take all possible steps to make the next Exhibition interesting so that the visitors from other places may also take part in it?

WAZIR FEROZ CHAND : (*a*) Yes. The question of holding an Exhibition at Rawalkot in the next year will be considered.

(*b*) Yes.

(*c*) Yes.

130. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Has any area in Poonch been entered as *Khalsa* area in possession of the village *assamis* which is different from area entered as *Khalsa* sarkar?

(*b*) If the reply to the above be in the affirmative, why are the Poonch Administration demarcating the areas in possession of the village *assamis* whereby the possession and the rights of the village *assamis* are being interfered with?

(*c*) Are Poonch authorities aware that in Illaqa Poonch many *Khalsa* areas are entered as areas in possession of the village *assamis* wherefrom the *assamis* have been deriving benefit from times immemorial and entries of similar other areas have been made in Jammu and Kashmir State in favour of the *assamis* in possession as the proprietors of the *Shamilat* Deh?

(*d*) If the reply be in the affirmative, why are the ancient rights of the *assamis* in possession being interfered with by including these areas in the boundary of the demarcated forests? Under what principle and law are their names removed and entries made in favour of the Forest Department and why a practice different from the Kashmir Government is being followed in Illaqa Poonch?

(*e*) Is it a fact that neither the proprietary rights have been granted in Illaqa Poonch as is done in the Jammu and Kashmir State nor have such *Khalsa* areas in possession of the *assamis* been entered in the *Shamilat*? If the reply be in the affirmative, the reasons therefor may be stated?

WAZIR FEROZ CHAND : (*a*) Yes.

(*b*) In the revised demarcation conducted recently only such areas were retained within the forest line as were forests for all practical purposes, but the concessions, which are communal rather than individual (such as collection of fire-wood, cutting grass and other rights mentioned in the Forest Notice), secured by the settlement to the zamindars over these areas will remain intact.

(*c*) *1st part*.—Yes, same reply as in (*a*) and (*b*) above.

2nd part.—In Jammu and Kashmir State no Shamilat is granted from the forest areas.

(*d*) In view of the (*b*) and (*c*) above, the question does not arise.

(*e*) Proprietary rights have not been granted to the zamindars of this Illaqa, as the same were withheld from them at the time of settlement when this question was agitated. However, for all practical purposes the Assami rights enjoyed by the people are equivalent to those of proprietary rights as no Malikana is paid and the power of alienation is unrestricted as in the State, where proprietary rights are enjoyed. The question of granting khalsa land outside forest line as Shamilat Deh will be considered when demarcation of the whole Illaqa is over.

SUBEDAR KHAN MOHAMMED KHAN : The proprietary rights have been granted to the zamindars of Jammu and Kashmir. When will such rights be granted to the zamindars of Poonch Illaqa?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : This question has already been replied in the later part of the answer of the question.

SUBEDAR KHAN MOHAMMED KHAN : That is regarding the Shamilat-Deh and to safeguard the areas of the zamindars from demarcation. My submission is that when proprietary rights have been granted in Kashmir which was purchased then why these are not granted to Poonch. What are the reasons therefor?

WAZIR FEROZ CHAND : This is with the discretion of Raja Sahib of Poonch. He is the owner.

MR. M. A. BEG : Why those areas which were since long in the possession of the zamindars are being included in the forest line.

WAZIR FEROZ CHAND : Those have not been included.

131. SUBEDAR KHAN MOHAMMED KHAN : The Lachhman Pattan bridge is an important bridge yielding an annual income of rupees one lakh and thirty thousands. The lives of the zamindars of Tehsil Sidhnoti and Bagh depend upon this bridge and if this bridge is damaged the prices of the food stuffs go very high in the whole of Illaqa Poonch and the zamindars of Sidhnoti are compelled to migrate to some other place. Now the bridge is in dangerous condition, and so slow is the progress in the matter of constructing a new bridge that if state of things remains the same, it is difficult to imagine within how many years will this bridge be constructed? If the reply to the above be in the affirmative, it may be stated as to when the construction of this bridge be started? And if the present bridge which is in a tattering condition tumbles down what means do Government have to save the zamindars from this calamity?

WAZIR FEROZ CHAND : A sum of Rs. 30,700 was provided in the Budget for the construction of a bridge at Lachman Pattan. Nearly all the material has been collected on site and the work will be started as soon as the Punjab Government's sanction is received for the acquisition of the land on the other side of the Jhelum river. The matter is already under correspondence with the Punjab Government. The present bridge is working and in case of any damage done to it, steps will be taken immediately to set it right.

SUBEDAR KHAN MOHAMMED KHAN : How long more will it remain in correspondence. The matter is already under correspondence for the last three years?

WAZIR FEROZ CHAND : The answer has been received. A notification has been issued under Section 4. The decision will be arrived at within two-four months and the work will be taken in hand.

132. SUBEDAR KHAN MOHAMMED KHAN : Half of the population of Tehsil Bagh passes through Pattan Dhalkot which is the market place for these people. It is through this Pattan that the zamindars import grain from British India. The use of boat is stoppped in the rainy season and the people have to face great difficulty on account of flood in the river. When the river is in flood, water in Naullah Mahal also rises and at that time the zamindars are in a miserable condition.

In the last session it was stated that bridge at Dhalkot Pattan would be constructed when the old ropes are available on the completion of Lachman Pattan bridge. If the reply be in the affirmative, it may be stated, after what period will a bridge be con-

structed at Dhalkot Pattan?

WAZIR FEROZ CHAND : As soon as the ropes of the Lachman Pattan bridge are available after the construction of a new bridge is taken in hand, the work of construction of pedestrain bridges over Pattan Dhalkote etc. will be taken in hand.

133. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide question No. 825 Q. D. No. 696 dated 20th Assuj 1993 Srinagar Session*):—(*a*) Will the Hon'ble Revenue Minister place on the table of the House the list of expenditure of the uniforms which are annually given to the Chowkidars?

(*b*) If the cost per uniform of a chowkidar be less than Rs. 12 per annum, then will the Hon'ble Revenue Minister remit the excess charged from the zamindars on account of uniform? If not, why?

KHAN BAHADUR MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) The question is not quite clear. If the Praja Sabha Sad states the period or year for which the information is required, reply can be given.

(*b*) No, because the Chowkidari fund has been amalgamated with the General Revenue. The Government is spending more than what is being actually realized both on account of pay and uniforms of Chowkidars. Moreover no part of the cost of establishment for maintenance of accounts of pay and uniforms which is a legitimate charge on this fund is ,owing to its amalgamation with General Revenue, being separately debited to the Chowkidari fund.

MIRZA MOHAMMED AFZAL BEG : In the first part it has been asked as to how much is spent on the Chowkidari fund. He asks what is the annual expenditure?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : He wants annually and not for any particular year.

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : It is difficult to give the annual account of 32 years.

RAJA MOHAMMED AFZAL KHAN (Governor Kashmir) : A fixed amount is not spent yearly. In one year less is spent and in another more.

MAJOR MIRZA ATTA MOHAMMED KHAN : The late Hon'ble Revenue Minister had replied in this connection that uniform worth Rs. 12 is being supplied; to which I had replied that uniform worth less than Rs. 12 is supplied. A Chowkidar gets Rs. 5 as his salary and rupee one is deducted from each Chowkidar's salary for the uniform?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Please ask the question in brief.

MAJOR MIRZA ATTA MOHAMMED KHAN : My submission is that the uniform worth Rs. 12 is not supplied. My submission was

that the excess charges should be exempted but it has not been replied?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The reply given does not cover that point.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : He says that the late Revenue Minister had replied but where is that. A reference may please be quoted so that the reply could be traced.

MAJOR MIRZA ATTA MOHAMMED KHAN : The reply has been given in answer to Q. D. No. 696 of the current session.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Alright. He will trace out and you will get the reply in the current session.

MR. MOHAMMED AFZAL BEG : Will the Hon'ble Revenue Minister state whether the amount recovered from the Chowkidars' salaries for their uniforms is actually spent on the uniforms.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : It will be replied later on.

134. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide question No.* 833. *Q. D. No.* 695 *dated* 20*th Assuj* 1993 *Srinagar Session*).—Will the Hon'ble Revenue Minister place on the table of the House a list of such files pertaining to the Tehsils of District Reasi regarding partition of land which have been pending for more than five years in the Revenue Department and on which no decision has yet been made?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : There are only ten partition cases over 5 years old, which are pending final settlement. The matter is being looked into.

135. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide question No.* 514 *Q. D. No.* 696 *dated* 20*th Assuj* 1993 *Srinagar Session*). (*a*). Will the Hon'ble Revenue Minister place on the table of the House the list of such officials who realized revenue for *Nautors* for more than five years in Reasi and Rajouri Tehsils of Reasi District. What is the amount of the excess thus realized?

(*b*) Was any enquiry made against those officers who realized more revenue than was due?

(*c*) If the answer to (*b*) be in the negative, then will an enquiry be made through an impartial Commission into the exact amount of the excess charges?

(*d*) Will it please be stated when should the poor zamindars hope to get back the excess that has been realized from them for *Nautor*?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) 1*st part*.—Thakur Goverdhan Singh, Revenue Assistant, Bakhshi Onkar Singh,

Tehsildar, Sayed Nisar Hussain, Tehsildar.

2nd part.—Rs. 1,186/15/3.

(*b*) The officers mentioned above are being called upon to explain.

(*c*) In view of (*b*) above, it is not necessary to appoint a Commission of Enquiry.

(*d*) The amount will be paid back to the zamindars concerned as soon as the Refund Bill for the excess realizations, which have been returned by the Accounts office with certain objections, are passed in Audit.

MAJOR MIRZA ATTA MOHAMMED KHAN : Is Mohammed Akram Khan Wazir Wazarat not included in the list of the Officers who realized revenue?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : He is not there.

MAJOR MIRZA ATTA MOHAMMED KHAN : It has not been stated whether a Commission will be appointed to enquire about the officers who made excess recoveries?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Your question is whether the Wazir is responsible or not?

MAJOR MIRZA ATTA MOHAMMED KHAN : My question is who were the officers who realized revenue for Nautors for more than five years.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : This has been replied.

MAJOR MIRZA ATTA MOHAMMED KHAN : One cannot be satisfied with the answer given?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : We have answered the question. He wants to introduce another matter.

MAJOR MIRZA ATTA MOHAMMED KHAN : Will the Hon'ble Revenue Minister issue orders?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : He has replied the question. If you will ask another question that will be answered. I cannot continue this question.

136. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide question No.* 608 *Q. D. No.* 680 *dated* 20*th Assuj* 1993 *Srinagar Session*). (*a*) Will Hon'ble Revenue Minister appoint a Sanitation Committee in Tehsil Rajouri and Reasi?

(*b*) Does not the Hon'ble Revenue Minister know that so long as there is no responsible Committee in the Tehsil it is not possible to get the indents for the expenditure of Sanitation Fund?

(*c*) If the answer to part (*b*) be in the negative, then, will the Hon'ble Revenue Minister considering the legitimate demand of the public appoint a Committee? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : On behalf of the Revenue Minister) : (*a*) The question is not clear. Sanita-

tion or Town Area Committee cannot be appointed for the whole of the Tehsil. According to rules in force one committee is appointed in one town or village as the case may be.

(*b*) The towns of Reasi and Rajouri have already been declared Town Areas and a Town Area Committee has been appointed at each place. No application from the zamindars of any other town or village of these tehsils for appointment of Town or Sanitation Committee has so far been received. The matter will be considered when any application is received.

(*c*) In view of reply given to (*b*) above, this does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN : Hon'ble President. Has my question been replied. My question has not been answered. My question was why a responsible committee is not appointed in the Tehsil when there is no such committee. My question was that the subject of the question No. 608 (Q. D. No. 680) dated 20-6-1993 of the last Srinagar Session may be perused?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You had asked about the Tehsil.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : There is no question of sanitation cess.

MAJOR MIRZA ATTA MOHAMMED KHAN : The question pertains to the sanitation cess. The question of the last session may kindly be perused and then my question be replied completely.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Have you referred to his previous question. He says about Q. D. No. 680 Srinagar Session 1993.

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : We have referred to the previous question.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : He says that the reply has been given after consulting the previous question.

MAJOR MIRZA ATTA MOHAMMED KHAN : No Sir, it has not been replied so?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : This has been answered.

MAJOR MIRZA ATTA MOHAMMED KHAN : (*a*) Will the Hon'ble Home Minister please state if the survey of the Ans canal has been completed? What has been the result of the survey by the Assistant Divisional Engineer?

(*b*) If the survey of the said canal has been made when can its completion be hoped?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : The Praja Sabha Sad is referred to the answer given to Question No. 690 (*a*) and (*b*) put by him in the last Srinagar Session (1936).

138. SARDAR KANAYA SINGH : Most of the villages use the

water for drinking purposes of the canal which is flowing from time immemorial near the Tangmarg Sanatorium. On account of the establishment of the Sanatorium, the clothes etc., of the T. B. patients are washed by this water and other impurities also get mixed in this water. Are Government prepared to enforce any such scheme which should keep the water pure whereby the lives of the people living in the villages by the side of this Nullah be saved and the water flowing below the Sanatorium may not get mixed in this water so that the germs of T. B. may not spread about?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : There are separate arrangements for water supply (pipe connection) for the use of Patients and washing of their clothes etc., in the Tangmarg Sanatorium. These clothes etc., are never washed in the Canal referred to. A pucca tank has been constructed by the Public Works Department for the use of Sanatorium Dhobi to wash the clothes of the patients.

139. SARDAR KANAYA SINGH : It has been admitted that Jails serve the purpose of reforming the character of the people following different professions and raising their standard of lives.

Will the Government please state as to how many offenders have been reformed and have become good citizens during the last ten years and how many prisoners having learnt any art to earn their living have formed the best part of the society? If the present system in the Jails has not been able to produce any good results then are Government prepared to introduce the Reformatory system in such Jails in future? If the answer be in the negative, then the reasons thereof may be stated?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes. It is true that all entertain such a hope.

(*b*) No statistics are kept to give the information asked for, but it is apparent that excepting habitual criminals whom it is difficult to reform, ordinary prisoners go out of the Jail better disciplined and settle down as peaceful citizens. There are no reasons to suppose that the present system in Jails is not producing good results.

140. SARDAR KANAYA SINGH : Are Government aware that in Baramulla the Sikhs have constructed a Sikh Boarding House on their own expenses, wherein the students of two aided schools Mission High School Baramulla, National High School Baramulla and Government Middle School who come from the villages outside to receive education reside? But the Government did not advance any aid to this Boarding House uptil now. Is it a fact that the Director of Education once recommended for an aid to be given to this Boarding House and the Hon'ble Prime Minister has himself inspected it and was pleased to issue orders for the grant of wood for the extension of the building? Will the Hon'ble Home Minis-

ter please grant at an early date aid to this useful institution so that the zamindar students may have facilities in education?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : No application as required under the revised grant-in-aid rules appears to have so far been received from the Sikhs of Baramulla for aid to the Boarding House.

141. SARDAR KANAYA SINGH : (*a*) Is it a fact that the Provincial Governments in British India have taken practical steps to root out the evil of communalism. Has the Premier of the Punjab Province has also appointed a Board for this purpose?

(*b*) Are the Government of Jammu and Kashmir prepared to adopt a better measure in this behalf whereby all communal disputes may be put an end to and the ruler and the ruled may live peacefully?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) The Government have no information on the point beyond the occasional references made in the newspapers, to this subject.

(*b*) The question of setting up communal concord Committees is already under the consideration of Government.

142. SARDAR KANAYA SINGH : (1) (*a*) Is it a fact that a few years back a deputation of the Sikhs waited upon His Highness the Maharaja Bahadur in connection with the demands of the Sikhs and was graciously granted an opportunity of interview?

(*b*) His Highness the Maharaja Bahadur addressing the deputation was pleased to say that due attention will be paid to the backwardness of the Sikhs in education as well as in services?

(*c*) What has the Government done for the Sikh Community since that time?

(*d*) (*i*) How many Scholarships for foreign training have been granted to the Sikh students as against the students of other communities?

(*ii*) By what proportion the Sikh element was increased in Government service? If the answer be in the affirmative, the details may be stated as to why His Highness' orders were not carried out and why the Sikh Community was not justly treated? Will the Government in future take early steps in this behalf?

(2) (*a*) Is it a fact that the Sikh deputation submitted the demands of the Sikhs at several times to the Government and to the Ministers?

(*b*) What measures have been adopted for the restoration of their Gurdawaras and their property which are in the Government possession and what the Government has bestowed upon the Sikh Community in this behalf?

(*c*) What sorts of privileges have been given to them in matters of service and education? If the answer be in the affirmative, the

details thereof may be supplied and if in the negative then the reasons may be stated as to why the Sikh Community is not equally treated as the sister Communities are being treated?

RAI SAHIB PANDIT RAM CHAND KAK : (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) The Government have been doing all that is in their power to do in this direction.

(*d*) (*i*) 11 Foreign Scholarships were sanctioned since 1931. None of them was given to a Sikh.

(*ii*) The Member is referred t o the answer to question Nos. Q. D. 862 replied on 31-10-1935 and Q. D. 593 replied on 17-10-1936. His Highness' orders have been and will be carried out.

(2) (*a*) Yes.

(*b*) The Sikhs were asked to represent their case before the Governor of Kashmir and to substantiate by documentary and other evidence their claims to the Gurdawaras and Jagirs alleged to be in the possession of Government; but they failed to do so and the Government could not therefore take any action in the matter.

(*c*) The Sikh Community is given due consideration in the matter of appoinments. So far as education is concerned Sikhs have been getting, besides general Scholarships to the extent of Rs. 2,308 which gives an average of Rs. 2/2/2 per school-going boy per month. The Sikhs are not treated less favourably than other Communities.

SARDAR KANAYA SINGH : One part of my question remains unreplied. Why His Highness' commands have not been obeyed?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Please ask the question.

SARDAR KANAYA SINGH : My question is why the Sikhs have not been granted scholarships for foreign training?

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary) : Had there been any qualified Sikh available, he would have got the scholarship.

SARDAR KANAYA SINGH : We have qualified Sikhs available with us. Secondly in the Glancy Commission recommendations the Sikhs have also been granted the same rights and privileges which have been granted to other communities. And yesterday in reply to a similar question it was stated that it will be considered.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You do not understand the object of the question and enter into discussion. If there is a resolution then a discussion can be permitted.

SARDAR KANAYA SINGH : Sir, we should get the answer in time to enable us for the preparation of supplementary questions.

In future arrangements may kindly be made to supply the answers of the questions earlier. The statements which have been furnished in the Glancy Commission have also remained unattended to, although such statements have many a times been referred to the Governor also.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Please say whether the proof has been furnished?

SARDAR KANAYA SINGH : We have furnished the proof?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The question does not arise now.

SARDAR KANAYA SINGH : Sir sympathetic consideration is not given.

RAI SAHIB PANDIT RAM CHAND KAK : Consideration is given.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It has been stated that the Sikhs are not being treated less sympathetically than other communities.

SARDAR HARI SINGH : I also submit Sir that the Chief Secretary has stated that the scholarships are granted to the qualified candidates. What does he mean by the word "qualified"?

RAI SAHIB PANDIT RAM CHAND KAK : There are special qualifications for the candidates.

SARDAR HARI SINGH : Kindly speak in Urdu.

RAI SAHIB PANDIT RAM CHAND KAK : Special qualifications and conditions are needed separately for each scholarship, for one a Matric is useful while for the other a graduate.

SARDAR HARI SINGH : Why the Sikh graduates have not been granted scholarships?

RAI SAHIB PANDIT RAM CHAND KAK : The Sikh candidates probably did not possess the required qualifications.

SARDAR DHIAN SINGH : You stated (interruption)

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Please do not make noise. This is not the question. Those who grant the scholarships have every right of selection. I reject your question.

143. MIAN QURBAN AHMED : (*a*) Is it a fact that in his judgment in the appeal case of Najam-ud-Din Patwari the Hon'ble Revenue Minister ordered that whenever any official applies for a copy it should be supplied forthwith?

(*b*) Did Gani Ram of Tehsil Akhnoor and Bidhya Dhar of Tehsil Jasmergarh apply for a copy of the judgment to the Governor Jammu's Office after this order?

(*c*) Were both the Patwaries fined rupee one each in this connection? If so, why? Reason may please be stated for this?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf

of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) Yes, because they had applied direct to the Governor.

144. MIAN QURBAN AHMED : Will the Hon'ble Revenue Minister please state what was the number of Clerks in the Governor's Office during the last ten years? How many of them were Muslims, and how many Brahmins, Rajputs and Sikhs and what is their number at present?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The number of clerks in the Governor's office in 1927 was 120, of which 36 were Muslims, 18 Brahmans, 17 Rajputs, and 49 others, while it was 120 in 1930, of which 31 were Muslims, 21 Brahmans, 17 Rajputs, 2 Sikhs and 49 others. The number of clerks at present is only 70, out of which 9 are Muslims 19 Brahmans, 18 Rajputs, 4 Sikhs, and 20 others.

145. *MIAN QURBAN AHMED* : (*a*) Is it a fact that Bakhshi Amar Nath, Head Clerk of the Vernacular Branch in the Office of the Governor Jammu was appointed as Naib Tehsildar? Was some non-Muslim Rajput taken in his place?

(*b*) Was there any condition to the effect that in filling up this post English knowing and Settlement trained man would be given preference? Does this condition not apply to the present incumbent?

(*c*) Will the Hon'ble Revenue Minister please state what are the reasons for overlooking the claims of the trained and deserving Muslim?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes, temporarily as Special Naib Tehsildar in connection with the Kandi Water Supply Scheme and Choudhari Sant Ram has been appointed in his place.

(*b*) No.

(*c*) The point did not arise.

MIAN QURBAN AHMED : The qualifications of Mr. Sant Ram may please be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : On my personal information I must state that no one was more suitable than Mr. Sant Ram for this post.

146. The question is withdrawn by the Member.

47. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state whether in the event of an official's appeal against the decision of his officer with higher authorities the file concerned is sent back to the same officer for further remarks and thus the official cannot reply to the remarks made second time and consequently the case is sure to be decided against him?

(*b*) Will the Hon'ble Revenue Minister in view of this injustice issue orders to the effect that in the Revenue Department

files should not be sent for remarks second time to the officer against whose decision an appeal has been preferred?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Every departmental appeal must be submitted through the Head of the Office in which an appellant is serving.

(*b*) It is within the discretion of the appellate officer to ask for further report and also to hear the appellant. It is impossible to fetter the appellate Officer as proposed.

148. CHOUDHRI ABDULLA KHAN : In all the departments except the Revenue and the Judicial, applications on ordinary papers are accepted, but the Irrigation Department has for sometime adopted the practice of getting stamp papers attached even with the ordinary applications relating to the fixing of the turns, irrigation lands) and kharaba. Will Government please give reasons for doing so?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Stamps paper are not demanded with applications for Kharaba. They are, however, required with the applications for Warabandi under instructions from the Inspector of Stamps. A copy of his Audit remark on the subject is enclosed herewith for perusal.

MIRZA MOHAMMED AFZAL BEG : Why stamps papers are not demanded with the applications for Kharaba?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It is the opinion of the stamp officer.

Extract from a letter No. 332 dated 17th July 1934 from the Inspector of Stamps, His Highness' Government J&K Srinagar to the Divisional Engineer, Irrigation Division, Jammu.

Stamp Inspection 1990-91.

"5. In almost all files of Bara-bandi and Taksim chak bandi (urdu section) Fard Intikhabs attached to the applications bear no stamps. There is, however, an exemption from court fee duty in respect of applications but there exists no such exemption in case of copies of Intikhabs granted by Patwaries etc. They therefore require to be charged under article A Schedule 1 of the Court Fee Regulation with a duty of -/12/- in each case".

149. CHOUDHARI ABDULLA KHAN : (*a*) Will Government please state the total population of the Bakarwals in the State?

(*b*) Has any one out of them been nominated as a member of the Praja Sabha?

(*c*) If the reply be in the negative, the reasons for ignoring them, when representation has been given to every class and community, may be stated?

(*d*) Are Government prepared to nominate a Bakarwal as a member of the Praja Sabha in future? If not, why not?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the

Hon'ble Prime Minister) : (*a*) 5,349.

(*b*) No.

(*c*) It is not possible to give separate representation to every class and sub-division of a Community.

(*d*) No. The Government do not feel justified now in nominating a member of a small nomadic community.

CHAUDRI ABDULLA KHAN : The Government has stated that the members are not appointed in consideration of class, caste or religion. Have the Hindus, Sikhs, Pandits and Harijans not been appointed as members on this very consideration?

RAI SAHIB PANDIT RAM CHAND KAK : This has already been replied in part (*d*) of the question. The other communities which have been referred to by the Member are much bigger.

150. CHOUDHRI ABDULLA KHAN : In reply to Q. D. No. 946 Serial No. 913 asked in the Srinagar Session 1936, it was stated that the recommendations of the Glancy Commission were being carried into effect. Will the Government please state as to why, in accordance with the Glancy Commission recommendations, no action, regarding the Asthan of Bawajitto (Jhiri), has yet been taken? If action will be taken, when? If not, the reasons for it may be stated?

KHAN BAHADUR RAJA MOHAMMED KHAN (On behalf of the Hon'ble Revenue Minister) : The Revenue Minister has been unable to find anything in the Report referred to, wich would apply to this case.

151. CHOUDHARI ABDULLA KHAN : Are Government aware that the prices of paddy have considerably gone down while the expenses of cultivation have very much increased? Under these circumstances, are Government prepared to make reduction in the rate of abiana? If not, why not?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The matter will be looked into.

CHAWDRI ABDULLA KHAN : Will this matter be looked into till the realization of the present Abiana or after that?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Will be looked into very soon.

152. CHAWDRI ABDULLA KHAN : Since the rate of land-revenue in the State is comparatively higher than it is in British India, and the financial condition of the zamindars of the State has become extremely bad, under these cirsumstances, will Government please consider the question of making reduction in the rate of land-revenue? If not, why not?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The Praja Sabha Sad is referred in this connection to reply to Q. D. No. 177, given in the last Jammu Session.

MIRZA MOHAMMED AFZAL BEG : Have the circumstances not changed since then?

THE HON'BLE MR. K. N. KNOX : None Sir.

152 MIAN AHMED YAR : Will Government please state the reasons as to why the land-revenue which is to be levied proportionately to the produce is assessed at a higher rate here than the adjoining districts of British India *viz*, Sialkot, Jehlum, Rawalpindi and Hazara and why should this rate be not reduced to that which is assessed in the above districts of Punjab?

THE HON'BLE MR. K. N. KNOX : The pitch of assessment of land-revenue was examined and discussed in the Glancy Commission Report. Sialkot was assessed in 1899 A. D. and Mirpur was assessed in 1930. None could expect the rates assessed to be the same in both cases. Government are not prepared to accept the statement that the rates assessed generally in the Jammu Province are higher than the rates assessed in the four Punjab districts named. No regular settlement are being conducted at present, and the question of reducing the percentage of net assets to be taken does not arise and would only arise if a resettlement were undertaken.

153. KHAWAJA SANA ULLAH SHAH : (*a*) Are Government aware that the Kupwara Kahcharai post is absolutely unnecessary because the graziers who have come from outside do not pass through that route on account of which the income of the post is practically nil?

(*b*) The House has been demanding time and again to abolish this post on the above mentioned reasons because this post has caused inconvenience and trouble to the people of the surrounding villages?

(*c*) If what has been said in the above parts be correct then will the Government please state as to what is the annual income and expenditure of this post for the years 1992 and 1993?

(*d*) If the annual income in these two years is greater than what are the annual savings to the Government by the establishment of this post and if the annual expenditure exceeds the income and if the income is by far the less than the expenditure then will the Government with a view to protect the poor zamindars after due consideration issue orders at an early date to abolish this?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Kupwara post is necessary as a checking post and nomads do pass through it. It is incorrect that the income of the post is practically nil.

(*b*) It being only a checking and not a barrier post, the question of income is immaterial. It is wrong that this post is causing any inconvenience or trouble to the surrounding villages.

(*c*) No. But it may be stated for the information of the Praja Sabha Sad that the income and expenditure for the year 1992-93

was Rs. 61 and Rs. 77 respectively.

(*d*) Does not arise.

KHAWAJA SANA ULLAH SHAH : If this is proved that nomads do not pass from this place will this post be abolished?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The namads do not pass from that place because they avoid the payment of tax. If the Kacharai post shall be removed from that place they are sure to pass from that route.

154. KHAWAJA SANA ULLAH SHAH : (*a*) Are Government aware that there is no other means of water supply in Sopor town except the river Jhelum and that on account of river Jhelum passing through Woolar Lake and other Nambles generally its water becomes dirty and injurious to health?

(*b*) The Public of Sopor has constantly been inviting the attention of the Government to this fact since a long time but nothing has been done till now?

(*c*) If what has been said in the above parts be correct then will the Government please, with a view to the needs of the town and the public health, think it proper to make arrangements for the supply of pure water through water pipes?

(*d*) If so then will the Government please give it a practical shape in the current year.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) and (*b*) Yes.

(*c*) and (*d*) The matter is under consideration of the Sanitation Cess Board and the work will be taken in hand when the project matures.

155. KHAWAJA SANA ULLAH SHAH : (*a*) Do Government remember that a promise was made in the last session that the Drugmulah Primary School will be raised to a Lower Middle School in the year 1993?

(*b*) Are Government aware of the fact that the promise was not fulfilled in 1993?

(*c*) If what has been said in the above parts be correct then will the Government please oblige the poor zamindars of this illaqa by raising the Drugmulah school to a Lower Middle. Drugmulah being the centre of whole of this Illaqa?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) No.

(*b*) The question does not arise.

(*c*) The question was placed before the EducationStanding Committee in the year 1936 but the case of other localities was considered more urgent. It will again be placed before that Committee for consideration.

156. KHAWAJA SANA ULLAH SHAH : (*a*) Are Government

aware of the fact that there is no industry of any sort in the Tehsil due to which the zamindars are extremely poor?

(*b*) The poor zamindars generally rear silk cocoons wherein they together with their wives and children work very hard for full 3 months and rear cocoons?

(*c*) If it be correct then will the Government please realize it that Rs. 12/8/- per maund of cocoons which the zamindars receive as remuneration from the Sericulture Department is practically nothing as compared with their hard work?

(*d*) The zamindars of the Tehsil cannot get any other sort of work with which they could be able to maintain themselves. For this reason they wholly depend on the cocoon rearing?

(*e*) Will the Government please consider the above facts and increase the remuneration for the cocoon rearing by a reasonable proportion and thereby win the good wishes of the poor zamindars?

KHAN BAHADUR MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) No.

(*b*) Silkworm Rearing is only a subsidiary occupation for the zamindars and does not take more than two months.

(*c*), (*d*) and (*e*) The price of cocoons was lately reduced to Rs. 12/8/- under stress of economic circumstances, but this reduction is not expected to be a permanent feature.

The Government are watching the time when conditions of the silk market will enable them to consider enhancing the rate paid to the rearers for cocoons.

MIRZA MOHAMMED AFZAL BEG : Has the cut of the employees not been released on the basis of the better market? Why the rates of the rearers of cocoons have not been enhanced on the same grounds?

THE HON'BLE MR. K. N. KNOX : The wages of the labourers and the rates of cocoon rearers will also be raised.

157. KHAWAJA SANA ULLA SHAH : Will the Government please place on the table a list of the following :—

(*a*) A villagewise list of tri-junctional pillars in the Uttermachipura Tehsil and how much amount has been realized in every village from the zamindars for the tri-junctional pillars?

(*b*) And now how many tri-junctional pillars in every village require the fixing of stones?

(*c*) What was the Parta in each village for each tri-junctional ppillar?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The required list is placed on the table of the House. The particulars asked for in part (*b*) of the question will be supplied later on, if necessary.

MIRZA MOHAMMED AFZAL BEG : If the whole schedule is not

read to the House it may at least please be stated whether the price of such tri-junctional pillar which has not been used for the village from which its price has been realized be refunded to the concerned zamindars?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : Do you mean that the unspent money should be refunded.

MIRZA MOHAMMED AFZAL BEG : Yes Sir.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : Yes that will be refunded.

List of tri-junctional pillars Uttermachhipura Tehsil.

Serial No.	Name of village.		No. of pillars.	Rate per pillar.			Total amount.		
				Rs.	a.	p.	Rs.	a.	p.
1	Bodha Nambal	...	2	4	8	0	9	0	0
2	Gund Zona Rashi	...	2	4	8	0	9	0	0
3	Punj Gam	...	12	4	8	0	54	0	0
4	Rawathpura	...	3	4	8	0	13	8	0
5	Dardahpura Niharia	...	9	4	8	0	40	8	0
6	Batpura	...	5	4	8	0	22	8	0
7	Alosah	...	8	4	8	0	36	0	0
8	Salamat Wari	...	7	4	8	0	31	8	0
9	Chhumpora	...	5	4	8	0	22	8	0
10	Shivepora	...	11	4	8	0	49	8	0
11	Goftabal	...	6	4	8	0	27	0	0
12	Wawaripora	...	6	4	8	0	27	0	0
13	Goglosa	...	10	4	8	0	45	0	0
14	Pader Gund	...	7	4	8	0	31	8	0
15	Joharpora	...	4	4	8	0	18	0	0
16	Bager Gund	...	1	4	8	0	4	8	0
17	Cherah Kot	...	1	4	8	0	4	8	0
18	Gund Moman	...	2	4	8	0	9	0	0
19	Sona Hari	...	10	4	8	0	45	0	0
20	Lashpora	...	6	4	8	0	27	0	0
21	Lelhal	...	5	4	8	0	22	8	0
22	Fara Kasan	...	3	4	8	0	13	8	0
23	Kachi Hama	...	5	4	8	0	22	8	0
24	Dradhari Khara Gund	...	5	4	8	0	22	8	0
25	Warah Sun	...	7	4	8	0	31	8	0

Serial No.	Name of village.	No. of pillars.	Rate per pillar.			Total amount.		
			Rs.	a.	p.	Rs.	a.	p.
26	Guzar Yal ...	5	4	8	0	22	8	0
27	Dradsore Rasgund ...	5	4	8	0	22	8	0
28	Kralpora ...	9	4	8	0	40	8	0
29	Sontipora ...	5	4	8	0	22	8	0
30	Shumnag ...	8	4	8	0	36	0	0
31	Solnah ...	5	4	8	0	22	8	0
32	Trehgam Khalsa ...	6	4	8	0	27	0	0
33	Trehgam Jagir ..	4	4	8	0	18	0	0
34	Hayan Jagir ...	5	4	8	0	22	8	0
35	Rampur ...	2	4	8	0	9	0	0
36	Mundkatpora ...	6	4	8	0	27	0	0
37	Owrah ...	7	4	8	0	31	8	0
38	Chak Kalipora ...	5	4	8	0	22	8	0
39	Marhama Khalsa ...	4	4	8	0	18	0	0
40	Alachirab ...	4	4	8	0	18	0	0
41	Zarhama ...	7	4	8	0	31	8	0
42	Kawwari ...	6	4	8	0	27	0	0
43	Marhama Jagir ...	3	4	8	0	13	8	0
44	Larahwan ...	4	4	8	0	18	0	0
45	Hawand ...	4	4	8	0	18	0	0
46	Hari ...	5	4	8	0	22	8	0
47	Gulgam ...	5	4	8	0	22	8	0
48	Bilipora ...	1	4	8	0	4	8	0
49	Pazipora ...	4	4	8	0	18	0	0
50	Dadikot ...	3	4	8	0	13	8	0
51	Gotango ..	5	4	8	0	22	8	0
52	Karihama ...	3	4	8	0	13	8	0
53	Gushi ...	4	4	8	0	18	0	0
54	Poshwari ...	2	4	8	0	9	0	0
55	Quin Baba Gund ...	6	4	8	0	27	0	0
56	Mirgipora ...	5	4	8	0	22	8	0
57	Wedhwan ...	8	4	8	0	36	0	0
58	Kupwara ...	9	4	8	0	40	8	0
59	Sulkot ...	9	4	8	0	40	8	0
60	Halmatpora ...	8	4	8	0	36	0	0
61	Hai Hama ...	3	4	8	0	13	8	0
62	Lashdat ...	3	4	8	0	13	8	0
63	Kala Ruj ...	3	4	8	0	13	8	0

Serial No.	Name of village.	No. of pillars.	Rate per pillar.			Total amount.		
			Rs.	A.	P.	Rs.	A.	P.
64	Zangli Kashir ...	6	4	8	0	27	0	0
65	Min Goh ...	3	4	8	0	13	8	0
66	Khumar Yal ...	8	4	8	0	36	0	0
67	Gubd Jhangir ...	6	4	8	0	27	0	0
68	Shumar Yal ...	7	4	8	0	31	8	0
69	Kant Pora ...	7	4	8	0	31	8	0
70	Doni Wari ...	8	4	8	0	36	0	0
71	Charehkot ...	7	4	8	0	31	8	0
72	Potushai ...	6	4	8	0	27	0	0
73	Dawra ...	11	4	8	0	49	8	0
74	Gangbeg ...	7	4	8	0	31	8	0
75	Tung Chakh ...	8	4	8	0	36	0	0
76	Daram Wari ...	5	4	8	0	22	8	0
77	Krosun ...	11	4	8	0	49	8	0
78	Logam Jagir ...	9	4	8	0	40	8	0
79	Gogal ...	5	4	8	0	22	8	0
80	Sorigam ...	8	4	8	0	36	0	0
81	Maidanpora ...	7	4	8	0	31	8	0
82	Koligam ...	10	4	8	0	45	0	0
83	Kand Har ...	4	4	8	0	18	0	0
84	Warnow ...	4	4	8	0	18	0	0
85	Swaerthandipora ...	7	4	8	0	31	8	0
86	Khuta Hama ...	8	4	8	0	36	0	0
87	Takiya Khurhama ...	6	4	8	0	27	0	0
88	Sai Wan ...	5	4	8	0	22	8	0
89	Chandigam ...	5	4	8	0	22	8	0
90	Lowgam Khalsa ...	4	4	8	0	18	0	0
91	Warah Pora ...	7	4	8	0	31	8	0
92	Rakh Gund Manchhar ...	5	4	8	0	22	8	0
93	Harali Gund ...	6	4	8	0	27	0	0
94	Lalpore ...	14	4	8	0	63	0	0
95	Ach Nag ...	7	4	8	0	31	8	0
96	Hayatpora ...	8	4	8	0	36	0	0
97	Mukam Lolab ...	7	4	8	0	31	8	0
98	Takipora ...	12	4	8	0	54	0	0
99	Thudosa ...	6	4	8	0	27	0	0
100	Dewar Ander bug ...	7	4	8	0	31	8	0
101	Daradpora Lolab ...	5	4	8	0	22	8	0

Serial No.	Name of village.		No. of pillars.	Rate per pillar.			Total amount.		
				Rs.	A.	P.	Rs.	A.	P.
102	Makan Sharif Dar	...	8	4	8	0	36	0	0
103	Doraj Warson	...	5	4	8	0	22	8	0
104	Dagi Tehsil	...	2	4	8	0	9	0	0
105	Kharabi Yal	...	5	4	8	0	22	8	0
106	Mir Gund	...	2	4	8	0	9	0	0
107	Niro	...	7	4	8	0	31	8	0
108	Wair Thal	...	4	4	8	0	18	0	0
109	Budo Gam	...	2	4	8	0	9	0	0
110	Sarad Ab	...	3	4	8	0	13	8	0
111	Baglander	...	2	4	8	0	9	0	0
112	Gund Gool Sheikh	...	4	4	8	0	18	0	0
113	Hassan Gam		10	4	8	0	45	0	0
114	Malan Gam	...	3	4	8	0	13	8	0
115	Budoab	...	4	4	8	0	18	0	0
116	Gujran	...	3	4	8	0	13	8	0
117	Abdha Bawn	..	2	4	8	0	9	0	0
118	Minimarag	...	2	4	8	0	9	0	0
119	Gorikot	...	2	4	8	0	9	0	0
120	Pushwari		2	4	8	0	9	0	0
121	Minabad	...	2	4	8	0	9	0	0
122	Kalsi Bala	...	2	4	8	0	9	0	0
123	Kalsi Pain	...	2	4	8	0	9	0	0
124	Burni	...	3	4	8	0	13	8	0
125	Zadgi	...	5	4	8	0	22	8	0
126	Pran Talal	...	3	4	8	0	13	8	0
127	Machil	...	6	4	8	0	27	0	0
128	Pushwari	...	2	4	8	0	9	0	0
129	Misrinahak	...	4	4	8	0	18	0	0
130	Datal	...	3	4	8	0	13	8	0
131	Dodi	...	4	4	8	0	18	0	0
132	Chontiwari	...	5	4	8	0	22	8	0
133	Hardorang	...	3	4	8	0	13	8	0
134	Dachi	...	2	4	8	0	9	0	0
135	Janwi	...	2	4	8	0	9	0	0
136	Khandyal	...	6	4	8	0	27	0	0
137	Dawar	...	3	4	8	0	13	8	0
138	Malshen Khopri	...	7	4	8	0	31	8	0
139	Markot	...	2	4	8	0	9	0	0

Serial No.	Name of village.	No. of pillars.	Rate per pillar.			Total amount.		
			Rs.	A.	P.	Rs.	A.	P.
140	Achora Khorawan	... 2	4	8	0	9	0	0
141	Funwi	... 5	4	8	0	22	8	0
142	Marnat	... 2	4	8	0	9	0	0
143	Sardari	... 4	4	8	0	18	0	0
144	Halmat	... 4	4	8	0	18	0	0
145	Naykaran	... 3	4	8	0	13	8	0
146	Soti	... 4	4	8	0	18	0	0
147	Tawbat	... 3	4	8	0	13	8	0
148	Nabtore	... 4	4	8	0	18	0	0
149	Korgal	... 4	4	8	0	18	0	0
150	Martoon	... 2	4	8	0	9	0	0
151	Budwan Wanpora	... 3	4	8	0	13	8	0
152	Nasu	... 3	4	8	0	13	8	0
153	Paichan	... 3	4	8	0	13	8	0
154	Madar	... 4	4	8	0	18	0	0
155	Lowdara	... 2	4	8	0	9	0	0
156	Nowpora	... ...	.....			.....		0
157	Gund Kabza	... 3	4	8	0	13	8	0
158	Kananbaba Gund	... 5	4	8	0	22	8	0
159	Gamro	... 3	4	8	0	13	8	0
160	Gund Pora Rampora	... 2	4	8	0	9	0	0
161	Bandpora	... 6	4	8	0	27	0	0
162	Garwreh	... 2	4	8	0	9	0	0
163	Areh Gam	... 4	4	8	0	18	0	0
164	Chhitibandi	... 1	4	8	0	4	8	0
165	Brar	... 3	4	8	0	13	8	0
166	Gund Achhin	... 4	4	8	0	18	0	0
167	Nadihal	... 7	4	8	0	31	8	0
168	Kharpora	... 4	4	8	0	18	0	0
169	Dachigam	... 3	4	8	0	13	8	0
170	Kalosa Nathpora	... 8	4	8	0	36	0	0
171	Kazipora Putoshai	... 4	4	8	0	18	0	0
172	Watpora	... ...	.....			.....		
173	Batkote	.. 4	4	8	0	18	0	0
174	Athwato	... 3	4	8	0	13	8	0
175	Wawin	... 2	4	8	0	9	0	0
176	Lab Kachal	... 2	4	8	0	9	0	0
177	Ahema Sharif	... 4	4	8	0	18	0	0

Serial No.	Name of Village.		No. of pillars.	Rate per pillar. Rs.	A.	P.	Total amount. Rs.	A	P.
178	Sonerwani	...	2	4	8	0	9	0	0
179	Ulgam	...	...	.....			.....		
180	Mangnipora	...	3	4	8	0	13	8	0
181	Kawel Mukam	...	4	4	8	0	18	0	0
182	Khanuch	...	3	4	8	0	13	8	0
183	Watlab	...	1	4	8	0	4	8	0
184	Hitlingo	..	2	4	8	0	9	0	0
185	Ashtango	...	4	4	8	0	18	0	0
186	Magribora	...	2	4	8	0	9	0	0
187	Chereh Har	...	..	.....			.....		
188	Maindichi	...	5	4	8	0	22	8	0
189	Takia Shaid Kham Mohd	...	2	4	8	0	9	0	0
190	Mukami Mir	...	2	4	8	0	9	0	0
191	Bowtango	...	...	.....			.....		
192	Malmuspora	...	3	4	8	0	13	8	0
193	Doru	...	4	4	8	0	18	0	0
194	Sempora	...	...	.....			.....		
195	Dangerpora	...	4	4	8	0	18	0	0
196	Adipora	...	1	4	8	0	4	8	0
197	Warhpora	...	2	4	8	0	9	0	0
198	Batlog	..	1	4	8	0	4	8	0
199	Chanwari	...	2	4	8	0	9	0	0
200	Hardoshive	...	5	4	8	0	22	8	0
201	Rampora Rajpora	...	...	.....			.....		
202	Botho	...	...	.....			.....		
203	Alosa	...	4	4	8	0	18	0	0
204	Lungam Jagir	...	2	4	8	0	9	0	0
205	Rakh Goradal	.	2	4	8	0	9	0	0
206	Ajer	...	5	4	8	0	22	8	0
207	Matrigam	...	7	4	8	0	31	8	0
208	Chandaji	...	4	4	8	0	18	0	0
209	Kheyar	...	4	4	8	0	18	0	0
210	Ladipora	...	6	4	8	0	27	0	0
211	Panjigam	...	5	4	8	0	22	8	0
212	Ayatmola	...	4	4	8	0	18	0	0
213	Chakrishewerpora	...	2	4	8	0	9	0	0
214	Aran	...	4	4	8	0	18	0	0
215	Chontmula	...	13	4	8	0	58	8	0

Serial No	Name of Village.	No. of pillars.	Rate of per pillars,			Total Amount,		
			Rs.	A.	P.	Rs.	A.	P
216	Kodarah ...	4	4	8	0	18	0	0
217	Chak Arsala Khan ...	3	4	8	0	13	8	0
218	Takia Ahmed Shah ...	3	4	8	0	13	8	0
219	Simthan ...	1	4	8	0	4	8	0
220	Shimlar Shafi Baba ...	...	.....			.....		
221	Chogul ...	6	4	8	0	27	0	0
222	Maidan Chogul ...	1	4	8	0	4	8	0
223	Kulangam Hum ...	3	4	8	0	13	8	0
224	Zalora ...	4	4	8	0	18	0	0
225	Sagipura ...	3	4	8	0	13	8	0
226	Harwan ...	4	4	8	0	18	0	0
227	Latishat ...	3	4	8	0	13	8	0
228	Nowpura Tojer ...	2	4	8	0	9	0	0
229	Thijersolihar ...	1	4	8	0	4	8	0
230	Nathipora ...	5	4	8	0	22	8	0
231	Kanil ...	6	4	8	0	27	0	0
232	Chakporan ...	5	4	8	0	22	8	0
233	Kralpora ...	7	4	8	0	31	8	0
234	Harwat ...	5	4	8	0	22	8	0
235	Dalrala ...	6	4	8	0	27	0	0
236	Hajan ...	7	4	8	0	31	8	0
237	Mukam Rajpora ...	4	4	8	0	18	0	0
238	.....	...	...	.....		.....		
239	Rangyat ...	9	4	8	0	40	8	0
240	Ashorah ...	9	4	8	0	40	8	0
241	Warapora ...	6	4	8	0	27	0	0
242	Otagro ...	7	4	8	0	31	8	0
243	Budh Bug ...	3	4	8	0	13	8	0
244	Tirsatantrigund ...	6	4	8	0	27	0	0
245	Wehhama ...	4	4	8	0	18	0	0
246	Drilpain ...	5	4	8	0	22	8	0
247	Drilbala ...	3	4	8	0	13	8	0
248	.....	...	...	.....		.....		
249	Khodi ...	3	4	8	0	13	8	0
250	Haderyari ...	3	4	8	0	13	8	0
251	Yankul ...	2	4	8	0	9	0	0
252	Lach ...	7	4	8	0	31	8	0
253	Heril ...	7	4	8	0	31	8	0

Serial No.	Name of Village.		No. of pillars.	Rate per pillar.			Total Amount.		
				Rs.	A.	P.	Rs.	A.	P.
254	Nowgam	...	4	4	8	0	18	0	0
255	Wehbama	...	8	4	8	0	36	0	0
256	Almir	...	2	4	8	0	9	0	0
267	Bawan Watsar	...	3	4	8	0	13	8	0
258	Warahpora	...	3	4	8	0	13	8	0
259	Jachimula	...	2	4	8	0	9	0	0
260	Laribal	...	2	4	8	0	9	0	0
261	Woderangan	...	3	4	8	0	13	8	0
262	Woderbala	...	2	4	8	0	9	0	0
263	Shatigam	...	6	4	8	0	27	0	0
264	Nichhama	...	5	4	8	0	22	8	0
265	Bhenipora	...	6	4	8	0	27	0	0
266	Krimchar	...	2	4	8	0	9	0	0
267	Rajpor	...	2	4	8	0	9	0	0
268	Khipora	...	6	4	8	0	27	0	0
269	Sirmarg	...	3	4	8	0	13	8	0
270	Askenpora	...	7	4	8	0	31	8	0
271	Paswanpor	...	5	4	8	0	22	8	0
272	Warapora	...	7	4	8	0	31	8	0
273	Tamalpora	...	5	4	8	0	22	8	0
274	Phal Deji	...	1	4	8	0	4	8	0
275	Shogpora	...	6	4	8	0	27	0	0
276	Wapazwani	...	7	4	8	0	31	8	0
277	Wagat	...	9	4	8	0	40	8	0
278	Malehpora	...	3	4	8	0	13	8	0
279	Geripora	...	6	4	8	0	27	0	0
280	Kalipora	...	4	4	8	0	18	0	0
281	Deril	...	7	4	8	0	31	8	0
282	Sohalhari	...	2	4	8	0	9	0	0
283	Hangnikote	...	2	4	8	0	9	0	0
284	Lalam	...	9	4	8	0	40	8	0
285	Waskawhar	...	7	4	8	0	31	8	0
286	Dogripora	...	9	4	8	0	40	8	0
287	Kanil	...	6	4	8	0	27	0	0
288	Satkochan	...	5	4	8	0	22	8	0
289	Lachhampora	...	7	4	8	0	31	8	0
290	Hardono	...	5	4	8	0	22	8	0
291	Tarakopora	...	5	4	8	0	22	8	0

Serial No.	Name of Village.	No. of pilars.	Rate per pillars	Total Amount
			Rs. A. P.	Rs. A. P.
292	....	...	.....	.....
293	Lachipora	... 5	4 8 0	22 8 0
294	Dardipora	... 7	4 8 0	31 8 0
295	Sultanpora	... 5	4 8 0	22 8 0
296	Wadipora	... 2	4 8 0	9 0 0
297	Baderkal	... 6	4 8 0	27 0 0
298	Khermanmalkchand	... 8	4 8 0	36 0 0
299	Bahadarpora	... 2	4 8 0	9 0 0
300	Bhaki Aker	7	4 8 0	31 8 0
301	Gori Aker	... 5	4 8 0	22 8 0
302	Nagradnar	8	4 8 0	36 0 0
303	Nabazrab	... 4	4 8 0	18 0 0
304	Bederhar	... 5	4 8 0	22 8 0
305	Budhkot	... 12	4 8 0	54 0 0
306	Handwara	... 12	4 8 0	54 0 0
307	Bagatpora	... 6	4 8 0	27 0 0
308	Darishpora	... 3	4 8 0	13 8 0
309	Kachiwarikafran	... 8	4 8 0	36 0 0
310	Braripora	... 7	4 8 0	31 8 0
311	Mogalpora	... 3	4 8 0	13 8 0
312	Bawipora	... 4	4 8 0	18 0 0
313	Hatmula	... 8	4 8 0	36 0 0
314	Warpora	... 3	4 8 0	13 8 0
315	Hakcherpora	... 2	4 8 0	9 0 0
316	Nagritpora	... 3	4 8 0	13 8 0
317	Ogbal	... ...	.....	.....
318	Bowharnag	... ...	.....	.....
319	Paripora	... 2	4 8 0	9 0 0
320	Odhapora	... 11	4 8 0	49 8 0
321	Magam	... 5	4 8 0	22 8 0
322	Nilipora	... 5	4 8 0	22 8 0
323	Sodal	... 5	4 8 0	22 8 0
324	Khanpora	... 5	4 8 0	22 8 0
325	Batpora	... 5	4 8 0	22 8 0
326	Rakhshalahal	... 1	4 8 0	4 8 0
327	Shahlahal	... 2	4 8 0	9 0 0
328	Athroto	... 1	4 8 0	4 8 0
329	Harnipora	... 2	4 8 0	9 0 0

Serial No.	Name of Village.		No. of pillars	Rate per pillar. Rs.	A.	P.	Total Amount. Rs.	A.	P.
330	Kherman Nand Ram	...	1	4	8	0	4	8	0
331	Kherman Hanud	...	2	4	8	0	9	0	0
332	Totigund	...	2	4	8	0	9	0	0
333	Worghipora	...	2	4	8	0	9	0	0
334	Waskorah	...	3	4	8	0	13	8	0
335	Daripora Ganipora	...	3	4	8	0	13	8	0
336	Khanabal	..	1	4	8	0	4	8	0
337	Trich	...	5	4	8	0	22	8	0
338	Natnosah	...	12	4	8	0	54	0	0
339	Kandi Khas	...	7	4	8	0	31	8	0
340	Rakh Machanwari	...	6	4	8	0	27	0	0
341	Kigam	..	7	4	8	0	31	8	0
342	Sadipora	...	6	4	8	0	27	0	0
343	Waterkhani	...	6	4	8	0	27	8	0
344	Aanderhama	...	5	4	8	0	22	8	0
345	Drugmulla	...	9	4	8	0	40	8	0
346	Bambhama	...	10	4	8	0	45	0	0
347	Shatmukam	...	5	4	8	0	22	8	0
348	Brumsereikbalsa	...	8	4	8	0	36	0	0
349	Radbug	...	8	4	8	0	36	0	0
350	Jagerpora	...	7	4	8	0	31	8	0
351	Kawa Wari	..	8	4	8	0	36	0	0
952	Brumri Jagir	...	6	4	8	0	27	0	0
353	Ahengam	...	5	4	8	0	22	8	0
354	Jachiladrah	...	7	4	8	0	31	8	0
355	Matrigam	...	8	4	8	0	36	0	0
356	Tikar	...	7	4	8	0	31	8	0
357	Gundgoshi	...	7	4	8	0	31	8	0
358	Hanjipora	...	6	4	8	0	27	0	0
359	Lohora	...	13	4	8	0	58	8	0
360	Achhbal		8	4	8	0	36	0	0
361	Kartargadh	...	2	4	8	0	9	0	0
362	Mazbug	...	3	4	8	0	13	8	0
363	Ibanrajhama	...	9	4	8	0	40	8	0
364	Paripora	...	3	4	8	0	13	8	0
365	Wadipora	...	1	4	8	0	4	8	0
366	Malgonipora	...	...				.....		
367	Darso Jagir	...	3	4	8	0	13	8	0

Serial No.	Name of village.	No of pillars.	Rate per pillar.	Total amount.
			Rs. a p.	Rs. a. p.
368	Darso Khalsa	... ...	.....	.....
369	Bharampora	... 5	4 8 0	22 8 0
370	Logripora	... 2	4 8 0	9 0 0
371	Jonipora	... 4	4 8 0	18 0 0
372	Gundbrat	... 3	4 8 0	13 8 0
373	Brat	... 3	4 8 0	13 8 0
374	Silo	... 5	4 8 0	22 8 0
375	Bhoripora	... 1	4 8 0	4 8 0
376	Hab Dangerpora	... 5	4 8 0	22 8 0
377	Sedbpora	... 3	4 8 0	13 8 0
378	Mal pora Sedian	... 3	4 8 0	13 8 0
379	Bomyee	... 3	4 8 0	13 8 0
380	Goripora	... 2	4 8 0	9 0 0
381	Kherman Astan	... 2	4 8 0	9 0 0
382	Idhipora	... ...	.....	.....
383	Chankatpora	... 3	4 8 0	13 8 0
384	Sopore	6	4 8 0	27 0 0
385	Mehlnah	... 2	4 8 0	9 0 0
286	Yemberzal Wari	... ...	.....	.....
987	Bagat	... 4	4 8 0	18 0 0
988	Arampora	... 5	4 8 0	22 8 0
389	Nowpora Kalan	... 2	4 8 0	9 0 0
390	Mandigam	... 6	4 8 0	27 0 0
391	Gund Asad Shah	... ...	.....	.....
392	Wangam	... 4	4 8 0	18 0 0
393	Serah Gund	... ...	.....	.....
394	Kachlu Kazipora	... 5	4 8 0	22 8 0
395	Khana Gund	... 2	4 8 0	9 0 0
396	Sahipora	... 3	4 8 0	13 8 0
397	Yaripora	... 8	4 8 0	36 0 0
398	Khawar Warah	... 2	4 8 0	9 0 0
399	Zanan	... 5	4 8 0	22 8 0
400	Safalpora	... 5	4 8 0	22 8 0
401	Shalpora	... 2	4 8 0	9 0 0
402	Rashipora	... 9	4 8 0	40 8 0
403	Badrah Bala	... 3	4 8 0	13 8 0
404	Kangrosa	... 8	4 8 0	36 0 0
405	Satrasez	... 5	4 8 0	22 8 0

Serial No.	Name of Village.	No. of pillars.	Rate per pillar.			Total Amount.		
			Rs.	A.	P.	Rs.	A	P.
406	Tangmulla ...	7	4	8	0	31	8	0
407	Ahengarpora ...	2	4	8	0	9	0	0
408	Chatosa ...	4	4	8	0	18	0	0
409	Kater Dazi ...	6	4	8	0	27	0	0
410	Nowpora ...	2	4	8	6	9	0	0
411	Nahro ...	3	4	8	0	13	8	0
412	Markot ...	...	.....			.....		
413	Pazwanpora ...	4	4	8	0	18	0	0
414	Doniwari ...	1	4	8	0	4	8	0
415	Phekwari ...	...	.....			.....		
416	Hamam ...	1	4	8	0	4	8	0
417	Daznah ...	4	4	8	0	18	0	0
418	Zethan ...	5	4	8	0	22	8	0
419	Batpora Nazar ...	4	4	8	0	18	0	0
420	Zehama ...	12	4	8	0	54	0	0
421	Margpora Jagir ...	6	4	8	0	27	0	0
422	Margpora Khalsa ...	5	4	8	0	22	8	0
423	Dagoch ...	6	4	8	0	27	0	0
424	Dachanpora ...	9	4	8	0	40	8	0
425	Manchanpora ...	3	4	8	0	13	8	0
426	Fidardpora ...	3	4	8	0	13	8	0
427	Sonansornard ...	9	4	0	0	40	8	0
428	Raosa ...	10	4	8	0	45	0	0
429	Mungwalpora ...	6	4	8	0	27	0	0
430	Mukamhindwanpora ...	4	4	8	0	18	0	0
431	Rawalpora ...	4	4	8	0	18	0	0
442	Badra Pian ...	5	4	8	6	22	8	0
433	Iscripora ...	4	4	8	0	18	0	0
434	Thakerpora ...	2	4	8	0	9	0	0
435	Palapora ...	3	4	8	0	13	8	0
436	Khaipora ...	4	4	8	0	18	0	0
437	Chap Duji ...	2	4	8	0	9	0	0
438	Shiekhpora ...	4	4	8	0	18	0	0
439	Faghipora	5	4	8	0	22	8	0
440	Silian ...	6	4	8	0	27	0	0
441	Hachvipora ...	5	4	8	0	22	8	0
442	Sangrampora ...	7	4	8	0	31	8	0
443	Waripora ...	6	4	8	0	27	0	0

Serial No.	Name of Village.	No. of pillars.	Rate per pillar.			Total Amount.		
			Rs.	A.	P.	Rs.	A.	p.
444	Bakipora Batpora ...	5	4	8	0	22	8	0
445	Mandnbeachinar ...	8	4	8	0	36	0	0
446	Hardowchanam ...	8	4	8	0	36	0	0
447	Dogripora ..	1	4	8	0	4	8	0
448	Dalri ...	3	4	8	0	13	8	0
449	Barman ...	2	4	8	0	9	0	0
450	Sialkot ...	7	4	8	0	31	8	0
451	Katrunaribal ...	5	4	8	0	22	8	0
452	Gulbal ...	2	4	8	0	9	0	0
453	Triangan ...	1	4	8	0	4	8	0
454	Khemohe ...	3	4	8	0	13	8	0
455	Branadab ...	5	4	8	0	22	8	0
456	Lahuladpora ...	2	4	8	0	9	0	0
457	Hamdub ...	4	4	8	0	18	0	0
458	Balhama Thakanpora ...	8	4	8	0	36	0	0
459	Shager Gund ...	3	4	8	0	13	8	0
460	Harali Gund ..	4	4	8	0	18	0	0
461	Watargam Jagir ...	6	4	8	0	27	0	0
462	Watargam Khalsa ...	6	4	8	0	27	0	0
463	Gund Karim Jan ...	6	4	8	0	27	0	0
464	Doni Gund ...	5	4	8	0	22	8	0
465	Yarbug ...	6	4	8	0	27	0	0
466	Nadihal ...	4	4	8	0	18	0	0
467	Chokulo ...	7	4	8	0	31	8	0
468	Nowgam ...	2	4	8	0	9	0	0
469	Sadipora ...	1	4	8	0	4	8	0
470	Shatio ...	10	4	8	0	45	0	0
471	Naber Katorah ...	9	4	8	0	40	8	0
472	Otarhamrah ...	9	4	8	0	40	8	0
473	Wankari ...	4	4	8	0	18	0	0
474	Bavan Chhater ...	6	4	8	0	27	0	0
475	Khoshipora ...	1	4	8	0	4	8	0
476	Wanpora	3	4	8	0	13	8	0
477	Panzala Gundbal ...	2	4	8	0	9	0	0
478	Lasar ..	4	4	8	0	18	0	0
479	Tragpora ...	5	4	8	0	22	8	0
480	Shogahpora ...	4	4	8	0	18	0	0
481	Chajihama ...	6	4	8	0	27	0	0

Serial No.	Name of village .	No. of pillars.	Rate per pillar.			Total amount.		
			Rs.	A.	P.	Rs.	A.	P.
482	Bogariwanpora ...	2	4	8	0	9	0	0
483	Sarehpara Bodan ...	4	4	8	0	18	0	0
484	Ferozpora ...	8	4	8	0	36	0	0
485	Dandosa ...	3	4	8	0	13	8	0
486	Patosa ...	2	4	8	0	9	0	0
487	Chatlorah Khalsa ...	5	4	8	0	22	8	0
488	Gund Mulraj	.....				.....		
489	Chatlora Jagir ...	4	4	8	0	18	0	0
490	Hadipora ...	8	4	8	0	36	0	0
491	Kralgund ...	7	4	8	0	31	8	0
492	Sopermagam ...	4	4	8	0	18	0	0
493	Tajerwari ...	4	4	8	0	18	0	0
494	Nihama ...	4	4	8	0	18	0	0
495	Hanji Shat ...	3	4	8	0	13	8	0
496	Pohoropat ...	5	4	8	0	22	8	0
497	Bunegam ...	3	4	8	0	13	8	0
498	Haripora ...	4	4	8	0	18	0	0
499	Kawipora ...	5	4	8	0	22	8	0
500	Malbagh ...	3	4	8	0	13	8	0
501	Lal Buge ...	3	4	8	0	13	8	0
502	Banopora ...	6	4	8	0	27	0	0
503	Wadorah ...	7	4	8	0	31	8	0
504	Panditpora ...	4	4	8	0	18	0	0
505	Hampora ...	4	4	8	0	18	0	0
506	Annon ...	4	4	8	0	18	0	0
507	Gundkamal ...	4	4	8	0	18	0	0
508	Gundhotrah ...	5	4	8	0	22	8	0
509	Khanon ...	6	4	8	0	27	0	0
510	Ajro ...	4	4	8	0	18	0	0
511	Yalto ...	5	4	8	0	22	8	0
512	Wehipora ...	6	4	8	0	27	0	0
513	Marigam ...	6	4	8	0	27	0	0
514	Chotipora ...	5	4	8	0	22	8	0
515	Kergam ...	6	4	8	0	27	0	0
516	Kilatpora ...	5	4	8	0	22	8	0
517	Gulorah ...	6	4	8	0	27	0	0
519	Kehro ...	6	4	8	0	27	0	0
519	Batpora ...	7	4	8	0	31	8	0

Serial No.	Name of village	No. of pillars.	Rate per pillar			Toal amount.		
			Rs	A.	P.	Rs.	A.	P.
520	Yaro ...	7	4	8	0	31	8	0
521	Beyahanard ...	5	4	8	0	22	8	0
522	Odhipora ...	5	4	8	0	22	8	0
523	Kchhwi ...	4	4	8	0	18	0	0
524	Manbal ...	3	4	8	0	13	8	0
525	Lehikot ...	4	4	8	0	18	0	0
526	Bandi ...	3	4	8	0	13	8	0
527	Shtren ...	3	4	8	0	13	8	0
528	Jalahana ...	4	4	8	0	18	0	0
529	Shaikhpora ...	4	4	8	0	18	0	0
530	Gundrazak ...	3	4	8	0	13	8	0
531	Shatgundbala ...	3	4	8	0	18	0	0
532	Dudhekul ...	2	4	8	0	9	0	0
533	Sanzipora ..	3	4	8	0	13	8	0
534	Madar ...	3	4	8	0	13	8	0
535	Dregsue ...	3	4	8	0	13	8	0
536	Odorah ...	3	4	8	0	13	8	0
537	Kalamchakla ...	3	4	8	0	13	8	0
538	Proangbrue ...	5	4	8	0	22	8	0
539	Chontipora ...	4	4	8	0	18	0	0
540	Batgund ...	4	4	8	0	18	0	0
541	Hangah ...	6	4	8	0	27	0	0
542	Haolrgund ...	4	4	8	0	18	0	0
543	Shatgund Pain ...	4	4	8	0	18	0	0
544	Shanoe ...	4	4	8	0	18	0	0
545	Talwari ...	4	4	8	0	18	0	0
546	Langate ...	7	4	8	0	31	8	0
547	Dahama ...	3	4	8	0	13	8	0
548	Kamlulla ...	4	4	8	0	18	0	0
549	Panjkot ...	5	4	8	0	22	8	0
550	Taratpora ...	4	4	8	0	18	0	0
551	Gundlsa Shah ...	3	4	8	0	13	8	0
552	Chokibal ...	4	4	8	0	18	0	0
553	Tamsinah ...	4	4	8	0	18	0	0
554	Manzgam ...	5	4	8	0	22	8	0
655	Hafat Radeha ...	6	4	8	0	27	0	0
556	Shahkot	4	4	8	0	18	0	0
557	Amargadh ...	5	4	8	0	22	8	0

Serial No.	Name of village.	Name of pillars.	Rate per pillar.			Total amount.		
			R.	A.	P.	Rs.	A.	P.
558	Talwari	...	3	4	8	0	13	8	0
559	Dolipora	...	4	4	8	0	18	0	0
560	Choreh Hawa	...	3	4	8	0	13	8	0
561	Sonehmulla	...	3	4	8	0	13	8	0
562	Kaler Sosah	...	3	4	8	0	13	8	0
563	Zaffar Khani	..	2	4	8	0	9	0	0
564	Palgam	...	4	4	8	0	18	0	0
565	Panjwah	...	3	4	8	0	13	8	0
566	Chak Bakhshi	...	2	4	8	0	9	0	0
567	Cherah Mundi	...	2	4	8	0	9	0	0
	Total	...	2,549				11,470	8	0

158. KHAWAJA SAFDAR ALI : Only Paddy can be grown in the cultivated area *Abi* No. 1 and when this area is damaged by floods then the remission in the land revenue is allowed only for the Kharif, whereas no *Rubi* crop can be grown there?

Will the Hon'ble Revenue Minister please issue orders that in such areas where only Paddy is grown each of the two instalments of revenue either be remitted or suspended as the case may be?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The Rules regarding suspension and remission of land-revenue are quite clear on the point and nothing can be done against rules.

159. KHAWAJA ALI MOHAMMED : Is it a fact that

(*a*) The office of the Superintendent Telegraphs and Telephones was set on fire in the month of Baisakh 1992? Was any regular enquiry made regarding it?

(*b*) Who was found to be guilty on enquiry and what punishment was awarded to him?

(*c*) What causes were found on enquiry to be responsible for the outbreak of the fire?

(*d*) When the audit of the department started and when was it finished?

(*e*) Had the audit been finished before the outbreak of the fire or was it in the audit that the office was burnt?

(*f*) Is it a fact that the Superintendent Telegraphs and Telephones himself conducted the enquiries about the outbreak of the

fire? If it be correct then :—

(*g*) Could the Superintendent being the Head of the Department as a rule conduct the enquiry?

(*h*) Is it also possible that such occurrences can affect the position of the Superintendent who is a responsible officer? If so, then

(*i*) Are people wrong in thinking that such method can be resorted to in order to conceal facts and save the offender?

(*j*) Can under such circumstances the enquring officer realizing his responsibilities maintain his position and prestige? If the answer be in the affirmative, then :—

(*k*) Under what rule the higher officer considered the enquiry of the Superintendent sufficient?

(*l*) Is it a fact that at the time of the outbreak of the fire in the office of the Superintendent Telegraphs and Telephones, the Superintendent allowed the Police to deal with the case? If the answer be in the affirmative, then

(*m*) What enquiry was made by the Police and what were its findings?

(*n*) Why the enquiry made by the Police was deemed unnecessary and that of the Superintendent only was taken to be absolute and final? and

(*o*) Why it was not considered necessary to call the Police at the time of the outbreak of the fire?

(*p*) If the outbreak of fire was due to some special reasons then what means the Government has devised in order to meet with such dangerous accidents in future?

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Fire broke out in the office of the Superintendent Telegraphs and Telephones Department in Baisakh 1992. Regular enquiry was made regarding it by the Police Department C. I. A., the Chief Engineer Electric Department and the Superintendent Telegraphs and Telephones.

(*b*) As a result of the enquiry the facts led to the belief that the store-keeper, the chowkidar and the P. W. D. Mali were implicated. All of them were dismissed after the enquiry was completed.

(*c*) None.

(*d*) The audit party arrived a day before the out-break of fire and left about a month after the fire broke out.

(*e*) Kindly refer to reply as per item (*d*) above.

(*f*) Kindly refer to reply as per item (a) above. The Superintendent T & T was at Kotli at the time of out-break of fire and was called up from there by the higher authorities in this connection.

(*g*) Kindly refer to reply as per item (*f*) above.

(*h*) Each case is to be considered on its merits.
(*i*) Kindly refer to reply as per item (*h*) above.
(*j*) Kindly refer to reply as per item (*h*) above.
(*k*) Kindly refer to reply as per item (*a*) above.
(*l*) As already stated the Superintendent Telegraphs and Telephones was at Kotli at the time of the out-break of the fire. The Police had already been allowed to deal with the case by the Chief Engineer who was on spot at the time of occurrence.
(*m*) This is confidential and not available for publication.
(*n*) Final orders were passed after taking the findings of the Police and the Departmental enquiries into consideration.
(*o*) Kindly refer to reply as per item (*l*) above. The Police had been already called up at the time of out-break of fire.
(*p*) The fire was not due to special reasons. Minimax fire extinguishers have been installed in the office to prevent recurrence of such accidents.

KHAWAJA ALI MOHAMMED : In reply to part (*m*) of the question it has been stated that this is confidential.

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : That is known to the Government.

MIAN AHMED YAR : Under what rule of the Rules of Business it has been withheld?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Government must have some discretion.

160. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Revenue Minister please state as to whether Sattar Malik, forest guard at present in the Kishtwar Division was recruited in 1981 in the Muzaffarabad Division?
(*b*) Whether he was transferred from Muzaffarabad Division to Keran Division in 1982 and remained there on duty for nine years?
(*c*) Whether he reported to the higher officers about the defalcation caused by the Range Officer in complicity with the Divisional Forest Officer in the Kail Sharda Range in 1990-91?
(*d*) His report being unfavourable to the Range Officer and Divisional Forest Officer he was got transferred to Kishtwar Division as a result of an intrigue, where he is again deputed on frontier duty for the last three years?
(*e*) Will the Government please conduct an enquiry about the report of Sattar Malik guard about the Sharda Range Forests, and will the Government transfer him from the frontier and appoint him to any other place in the Valley? If not, why not?

K. B. RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.
(*b*) He was in that Division already when Muzaffarabad Division was split up into two Divisions, namely Muzaffarabad and

Keran Divisions.

(*c*) No.

(*d*) He was not transferred on account of intrigue but on account of extremely bad record of his service and maltreatment of zamindars?

(*e*) No. It is unnecessary.

161. KHAWAJA ALI MOHAMMED : (*a*) Are Government aware of the fact that the Chief Inspectress of Girls Schools has issued an order No. 226/CS dated July 9th 1937 to the subordinate establishment not to read local news-papers? If the answer be in the affirmative, then

(*b*) Why the restriction has been placed on the reading of local newspapers and what is the particular reason therefor?

(*c*) Does the restriction also apply for reading the newspapers of the Punjab and other places? If not, the reason therefor may be stated?

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) No.

(*b*) The question does not arise.

(*c*) The question does not arise.

KHAWAJA ALI MOHAMMED : If such letter in original will be produced, what action will be taken?

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : I can reply this after seeing the letter.

162. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Finance Minister please state as to what is the width of lane which leads to Munawarabad, Rainawari, Hazrat Bal and Central Jail etc. from the Koochabala Sad Qazizada Srinagar?

(*b*) Is there a general and frequent traffic of Motors, Lorries and Tongas through this lane? If the answer be in the affirmative, then—

(*c*) Why this narrow lane is open to traffic and why it is not widened?

(*d*) Under these circumstances will the Government please compel the Municipal Committee for widening the lane which is not more than 200 yards in length so that the public complaint may be removed?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : (*a*) 12-15′ average.

(*b*) Yes. Only of tongas and Motors. Lorries are prohibited from running in the City.

(*c* and *d*) One side traffic has been declared in this lane and it is being acted upon.

The widening will cost a considerable sum of money and will be taken up as soon as funds permit.

163. KHAWAJA ALI MOHAMMED : (*a*) Will the Government please state as to what is the number of the members of the Bandi-

pur Panchayat Committee? How many of them are elected and how many nominated?

(*b*) Are out of these two nominated members one a Sikh of Rawalpindi and the other a Hindu of Sonipat? If the answer be in the affirmative, then—

(*c*) Are they well-acquainted with the affairs of the Kashmiris and can they settle their cases?

(*d*) Has not the proportion of Muslim representation been ignored under this constitution?

(*e*) Can the object of Panchayat be achieved under these conditions?

K. B. RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) The number of Bandipur Panchayat members is seven. Three are elected and four are nominated.

(*b*) Both are State-subject of Class B.

(*c*) Yes.

(*i*) One is B. Sc., (Honours in Botany) and the other is a Law Graduate.

(*d*) No. Out of seven members, four are Muslims and three non-Muslims.

(*e*) Certainly.

164. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Is it a fact that there is not a single Lady Hospital in the three Tehsils of Muzaffarabad District and for want of this so many women die as a consequence of female disease annually?

(*b*) If the reply to (*a*) be in the affirmative, will the Government in view of this immediate and urgent necessity of the public sanction some grant from this year's budget for establishing a Lady Hospital in Muzaffarabad the headquarter of the District?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes.

(*b*) It is regretted that the request is not feasible, as trained Lady Doctor and Nurse are not available.

165. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : Will Government kindly sanction scheme of irrigation project from the river Jhelum upto Saran in Tehsil Muzaffarabad which would irrigate the entire area from Saran to Chattar Domel?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : No survey for such a scheme has ever been made by the P. W. D. and consequently no scheme has been prepared.

MIAN AHMED YAR : Will it be considered now as the attention of the Government has been drawn towards it?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Undoubtedly.

166. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Is it

a fact that Government transfers every State servant from one place to another after every three years?

(*b*) If the reply to (a) be in the affirmative, then the list of all those officials of each district who have remained posted at one station for more than three years and have not been transferred, be given?

R. S. PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Not necessarily.

(*b*) Does not arise.

167. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Will the Hon'ble Finance Minister kindly state whether the Deputy Inspector Customs Garhi has powers to examine parcels? If he has powers then why is it that the said Deputy does not examine the parcels of neighbouring places and the people have to go to Uri which is three miles of Ghari for the examinations of their parcels.

(*b*) Will the Hon'ble Finance Minister issue instructions to the Deputy Inspector Customs Garhi that in future he should examine the local parcels there so that this trouble of the people be removed.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : There is no Deputy Inspector at Garhi now. The Assistant Inspector who works at Garhi has been instructed to assess such postal parcels as may be produced before him.

168. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Is it a fact that at Muzaffarabad which is very backward district there is no Government or private Institution for Industrial education and most of the students are deprived of acquiring industrial education in any other Institution on account of their inability to afford expenses?

(*b*) If the reply to (*a*) be in the affirmative, do Government intend to establish at Muzaffarabad a Technical School like those established in Baramulla and Srinagar etc. so that great majority of students be benefited by industrial education?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes.

(*b*) The Government would prefer to improve the standard of education in the existing technical Schools before opening more technical Schools.

169. SARDAR MAL SINGH (State Councillor) : Government had stated in reply to several questions last year that 'Rescue Homes' will be set up. Will Government please state what steps have been taken in this direction?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : The matter is under the consideration of the Government who have appointed a Committee to report on it and it is hoped that orders will be issued soon in this behalf.

170. SARDAR MAL SINGH : (*a*) Do Government know that from Kohala to Srinagar and back Taxi lorries are allowed to bring free of duty only twelve gallons petrol in their tanks from outside the State.

(*b*) Do Government know that in accordance with rules Taxi lorry drivers are required to keep two gallons of petrol spare with them and they have to pay duty on it as also on other provisions. On the other hand if the driver does not have two gallons petrol spare with him, he is challaned.

(*c*) Do Government know that at least 20 gallons of petrol are consumed by a lorry in its journey from Kohala to Srinagar and back.

(*d*) If it is a fact, will Government please allow 20 gallons of petrol spare for every lorry and allow it to pass free of duty?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Yes. A quantity upto 12 gallons of petrol when carried in incoming lorries is kept exempt for use in journey upto Srinagar. It is not necessary to exempt the quantity of petrol required for return journey as petrol is available in markets in the State.

(*b*) Any quantity of petrol in excess of 12 gallons is subjected to duty, because it is not required for use in the incoming journeys.

(*c*) The statement made by the Praja Sabha Sad regarding consumption of petrol on both journeys may be true, but the exemption is allowed on the quantity of petrol consumed on the incoming journey only.

(*d*) It is regretted, no quantity of petrol in excess of 12 gallons can be exempted.

SARDAR MAL SINGH : From when the Taxi Drivers have been permitted to bring twelve gallons of petrol in their tanks free of duty?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I do not remember at this time. You can enquire afterwards.

SARDAR MAL SINGH : You might be knowing that now the lorries of greater power are running so there is a greater consumption of petrol.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : But I did not receive any such complaint from the lorry drivers.

SARDAR MAL SINGH : But the lorry drivers have complained it to me.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Then you can move a resolution.

171. SARDAR MAL SINGH : Will Government please state when will the work of opening of tunnel in the Peer Panjal at Banihal be started? Has any scheme been prepared for this purpose or has any expert been consulted in this matter? If it is a fact what is his report?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : A scheme for constructing a low level tunnel at Banihal Pass has been prepared and costs roughly Rs. 40 lacs. It reqtires the consultation of an Expert Tunnel Engineer as to its feasibility and therefore the case is under consideration of the Government.

172. SARDAR MAL SINGH : Will Government please state in the year 1991-92 :—

(*a*) Goods worth how much were exported from the State?

(*b*) Goods worth how much were imported from British India into the State?

(*c*) How much of it was under bond?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Rs. 1,22,97,152.

(*b*) Rs. 2,07,50,762.

(*c*) Rs. 61,36,044.

173. SARDAR MAL SINGH : It has come to notice that State publications which are not confidential are not kept in the Public Libraries of the State. This puts all those who may require any information about the State to great difficulty. Will Government make arrangements for placing all such publications of the various Departments which are not confidential in Public Libraries?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : At present all Government publications are not kept in the Public Libraries. The matter will however receive consideration.

174. SARDAR MAL SINGH : Is it a fact that in 1934, 6,970; in 1935, 5,663; and in 1936, 9,662 visitors came to this valley by Nanda Bus? If the answer to this be in the affirmative, then, considering the convenience of the visitors, what objection do Government have in allowing the Nanda Bus to construct a Store room at Domel and allowing them this concession that their lorries be examined, first, at the Customs Post?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Information regarding the number of visitors brought by Nanda Bus Company is not available in the Customs office. For the second part of the question the Praja Sabha Sad is referred to the answer to his question No. 259.

No company can be given the concession of priority of examination of goods at a Customs Post as this is wrong in principle.

SARDAR MAL SINGH : Sir may I know what is question No. 459 and its answer referred to in your reply under reference?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : That is not with me at this time. I can show it to you afterwards.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : (addressing to Sardar Mal Singh) You must have got the Assembly printed debates.

SARDAR MAL SINGH : This is not in that book.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I have not brought the question and reply with me here. You accompany me and I will show it to you.

SARDAR MAL SINGH : Will it be checked at the Customs house as to which lorry is carrying passangers and which load?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : It is very difficult for the Customs employees to find out which lorry is carrying load and which passengers.

SARDAR MAL SINGH : Strange it is that the Customs employees cannot do even this. If this is the fact where is the necessity of keeping them there?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : How it can be known that a certain lorry is carrying the goods of the passengers or other commercial goods.

PANDIT RAM CHAND KAK : There can be no such lorry which brings only passengers' goods.

(A voice from the Conference Party) : We question this statement?

SARDAR MAL SINGH : I want to put one question more?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : That is sufficient. We will take up another question now.

SARDAR MAL SINGH : Sir, no reply has been given regarding opening a Store room?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : This is under consideration.

175. LALA HANS RAJ : Will the Government please state why the well in the village Dansal Tehsil Jammu has not so far been repaired when the sanction of Chief Engineer Public Works Department for the amount of Rs. 800 for repairing it was required and the estimate was also sanctioned by the department? And now, when will the repair be made so that the difficulty of the people may be removed?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The required information will be supplied later on.

LALA HANS RAJ : When the information will be supplied?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : In the next Session.

176. LALA HANS RAJ : Are Government aware of the fact that orders have many times been issued for the repair of the road of the Illaqa Dansal from Tunnel to village Mond which is in a dilapidated condition and which has not so far been repaired by the unsympathetic contractors who happened to be belonging to other Illaqas? If it be correct then will this road be got repaired by giving its contract to any of those who live in the villages by the side of this road?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : After inviting tenders the contract for the annual repairs was given to the present contractor on 5th Poh 1993. He was bound to finish the whole work by 15th Har 1994. As he has failed to comply with this condition of the work order, he will be dealt with under rules. The present contractor is not an outsider but is a resident of village Sunjawan of Jammu Tehsil. Contracts of repairs etc., of village roads are given as far as practicable, to the persons residing near about the roads concerned.

LALA HANS RAJ : I meant hat the contracts should be given only to those villagers who live in the villages by the side of the road.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : Generally these very persons are given such contracts but if no competent person is available there in that case the contract is given to others.

177. LALA HANS RAJ : Will the Government please enquire from the Education Department as to why no school has been opened in the tract lying between village Dansal and village Jandrah Jagir, although at least the Lower Middle schools are necessary for such a vast Illaqa?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The Inspector reports that the schools that already exist in this Illaqa are not in flourishing condition. The question of opening more schools in this Illaqa will, however, be considered by the Education Standing Committee if applications are received through the proper channel.

LALA HANS RAJ : Generally it is told on behalf of the Government that the Government think so or do not think so. Will Government ever think for others also?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : I reject your this question.

178. LALA HANS RAJ : There is no dispensary in the Illaqa of Dansal Tehsil Jammu on account of its being hilly. The travelling dispensary visits this Illaqa only for two or four days after many years. There being no dispensary within 15 or 20 miles many people die for want of medical aid?

Several times the Governor and the Director Medical Services have been approached but no attention has been paid so far. Will the Government please arrange at an early date to remove this difficulty of the public thereby winning their heart?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Several questions on this subject have been replied to in every session. There are demands from every side and the present policy of Government has been clearly stated. It is not proposed to open further dispensaries till such time as the existing dispensaries have

been adequately housed and equipped.

Subsidised Hakims, Vaids and Doctors are being appointed in certain places.

179. LALA LAJPAT RAI : (*a*) Will Government state what is the number of Harijan community as shown in the Census Report of Jammu and Kashmir State?

(*b*) Why is this community deprived of the rights of separate representation in Government service in proportion to its percentage in State population?

(*c*) If the reply to (*b*) be in the negative, what is the percentage of representation prescribed for this Community? If no percentage has been prescribed then what are the reasons for it?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) In the Census report the term "Harijan" does not find place. The population of the Meghs in the State is 70,030.

(*b*) The Harijans are part of the Hindu Community ; no subdivision of the latter has been given a separate Electorate. Nor is the principle of representation in the service according to percentage of population recognized.

(*c*) No percentage is fixed for any community.

180. LALA LAJPAT RAI : (*a*) Do Government know that at the time of filling twenty posts of teachers in the Education department only three were given to Harijans this year? If it is a fact then what communal proportion was kept in view at the time of giving these three posts to Harijans?

(*b*) Do Government also know that one Harijan candidate named Ram Chand of Barsimla Tehsil Bhimber District Mirpur worked for one year in Arya School and again he worked as a candidate regularly for one year in the Government Primary School Kamlani Tehsil Kotli but inspite of the fact that twenty appointments were made, he was not given any job? What are the reasons for doing so?

(*c*) Will in future attention be paid to the ignored claims of this candidate? If so, when?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Three Harijans were appointed to various posts.

(*b*) No more posts could be given to this community on the basis of their representation in population. Hence, this man had to wait.

(*c*) Due attention is already being paid to their representation in schools.

MR. JAGAT RAM ARYAN : My question was that why Mr. Ram Chand's claims have been ignored in filling up twenty posts and why his name has been removed from the list of the candidates and why he has been discharged?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) He has not been discharged. I don't think so.

MR. JAGAT RAM ARYAN : Will he be given a post?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes he will be given a job.

181. LALA LAJPAT RAI : (*a*) Will the Hon'ble Revenue Minister kindly state whether the Harijans who are agriculturists, own land in the same proportion as that owned by other Hindu, Muslim and Sikh community?

(b) Do Government know that many applications were submitted by this poor and backward community for the lands required by them? Was any justice done to these people who have no means for agriculture? If so, when?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) The Government have no information.

(*b*) Applications were made by Harijans of Suchani, Raiya, Bhadori and Saror of Samba Tehsil, through Lala Lajpat Rai, Praja Sabha Sad. The applications are receiving attention in the subordinate Revenue Offices and will be considered on their merits.

182. LALA RAJPAT RAI : (*a*) Will Government please state whether an application for land was submitted to the Governor Jammu on 8th February 1937, by Bijjan son of Hushyaru, Seryaru etc. of the village Bagla Baguna in Tehsil Samba and village Sarar in Tehsil Ranbirsingh Pura? If so what action was taken on it?

(*b*) Will Government give full consideration to such applications of zamindars?

(*c*) If the reply to (*a*) and (*b*) be in negative, will Government consider some scheme whereby sufficient areas of agricultural lands be granted to applicants from this community which has no other means of earning livelihood? If so, when?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) No such application is reported to have been received. The only applications received are those mentioned in reply to Q. D. No. 312 (*b*).

(*b*) Yes, such applications are already being paid due consideration by Government.

(*c*) If the Praja Sabha Sad can suggest any practicable scheme Government will give due consideration to it.

183. LALA LAJPAT RAI : (*a*) Will Government kindly state whether Kirpu son of Kanshu Saryara of village Oharrahi Tehsil Reasi reclaimed and brought under cultivation waste areas in accordance with Ailan No. 17?

(*b*) When such wasted areas have been brought under cultivation by spending much and after experiencing hard troubles and the revenue whereon is being charged for the last seven or eight

years, what are the reasons for auctioning such areas of poor cultivators and for the present ordering them to remove the necessary material therefrom?

(*c*) So much of labour and money has been spent on such areas and hue and cry was raised before Wazir-i-Wazarat Reasi against this injustice. Has any consideration been given to this? If not, why?

(*d*) If answers to (*a*), (*b*) and (*c*) be in the affirmative, will the submission of these cultivators be considered who are subjects of Jammu and Kashmir State, and except these areas of land which are now being taken away from them have no other means of livelihood?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : It has not been possible to collect the required information within the notice given. Necessary information will, therefore, be supplied later on.

LALA LAJPAT RAI : When the necessary information will be supplied. In the current session or in the next?

KHAN BAHADUR MOHAMMED AFZAL KHAN : In the next session.

184. COLONEL ABDUR REHMAN KHAN : Rama Nand and Co. got prepared the Udhampur Ramnagar road after undergoing hard labour and huge expenses within a period of one year. The road has cost the company about one and half lakh of rupees. The traffic on this road is scarce and luggage and passengers hardly sufficient for one lorry are booked but daily expenses of the maintenance amount to at least fifty rupees. The period of monoply is sixteen years in which period hardly wheel traffic would be popular. This goes to prove that the said road has put too much undue burden on this company and told heavily upon its financial position. This is discouraging for the subjects. Will the Government under these circumstances encourage the subjects by extending the period of monoply from 16 to 30 years according to the request of the said company and the reports of the officers concerned?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Revenue Minister) : No such request or report has been received.

185. COLONEL ABDUR REHMAN KHAN : Before this Government has in reply to my questions and resolutions been giving assurances that Janganun bridge would soon be constructed but so far no steps have been taken to construct it. What do Government propose to do in this behalf now (*vide* speech of Hon'ble Mr. Wajahat Hussain the late Home Minister contained in Vernacular official report of Jammu and Kashmir Praja Sabha, 3rd Session of October 1935 page 996 of the Volume No. III Part II)? Will Government now pay attention to the construction of this bridge?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The matter of constructing the Jaganun Bridge is under consideration. The estimate is under preparation.

186. COLONEL ABDUR REHMAN KHAN : (*a*) Will the Government kindly state how many resolutions of public welfare were moved in the House since the inauguration of the Praja Sabha?

(*b*) How many of them were passed by the House and which of them were given practical shape?

(c) Which resolutions were defeated on account of there being Government majority in the House?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) The number of resolutions moved in the House other than Budget resolutions was 83, up to the end of the last Jammu Session.

(b) The number passed by the House was 229. It is not understood what the Hon'ble Member means by the expression "were given practical shape".

(*c*) The number of resolutions which were defeated was 16. If, by "Government majority" the Hon'ble Member means a majority consisting of officials, there is none such in the Praja Sabha. Ordinarily the bulk of the votes cast against a resolution is non-official.

COLONEL ABDUR REHMAN : Are the nominated members and the State councillors included amongst the non-official members?

RAI SAHIB PANDIT RAM CHAND KAK : Officials are not included amongst the non-official members.

MIRZA MOHAMMED AFZAL BEG : How the Government can know that such and such member has voted in favour of the Government as the chits are not being looked into and if these are seen then why the House is not being told the names of the members voting in favour of the Government.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER (Prime Minister) : Will you please repeat it in English?

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER : Ordinarily the number of official members is only eleven and it never exceeds to twelve. Therefore it naturally follows that the majority of votes for or against come from non-official members.

A VOICE : Crude logic.

187. COLONEL ABDUR REHMAN KHAN : (*a*) Did Government appoint an Anticorruption Commission last year?

(*b*) How many cases of corrupt officers and other Government servants have been dealt with by this Cimmission and which of these officials have been awarded exemplary punishment for such evil practice?

(*c*) Has corruption declined as a result of it or it is increasing day by day?

(*d*) If the reply to the above be in the negative, how long will it take to stop it?

(*e*) Which of the Departments have proved corrupt and which not?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : Yes.

The Commission is entrusted with the task of ascertaining if and to what extent corruption prevails in the services and to suggest means for removing it where it exists. It is not authorised to deal with individual cases of corruption.

According to the testimony of one Member (Lala Hans Raj) the alleged corruption has decreased "to some extent".

Does not arise.

The Commission has not yet submitted its report.

COLONEL ABDUR REHMAN : If any one is found corrupt official, what action has been taken against him?

RAI SAHIB PANDIT RAM CHAND KAK : The corrupt officers have been awarded punishment.

MIRZA MOHAMMED AFZAL BEG : The names of those corrupt officers who have been awarded punishments may please be stated?

RAI SAHIB PANDIT RAM CHAND KAK : This is a new question.

MIRZA MOHAMMED AFZAL BEG : Has anybody been punished on the findings of the commission?

RAI SAHIB PANDIT RAM CHAND KAK : The commission has not submitted their report but in the course of administration dishonest and corrupt officials are punished.

KHAWAJA GHULAM MOHAMMED SADIQ : The Hon'ble member has asked the question as to what action has the commission taken against the corrupt officials?

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER : The reply is quite clear. The commission has nothing to do with individual cases.

188. COLONEL ABDUR REHMAN KHAN : Do Government know that the Sahukars have less money dealings with the zamindars since the year 1978 because in that year the Agriculturists Relief Regulation was enforced in the State? Now Sahukars lend money to the zamindars only when either they mortgage some precious thing with them or put down a greater sum of rupees in the deed than what they exactly borrow and this is more harmful for the agriculturists. If any dispute arises a suit is filed in a Court and even the payment of double the amount would not relieve the zamindars.

(*b*) Will Government undertake to open more co-operative banks in order to relieve the zamindars from this hardship?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The Government have no such information.

(*b*) The Government can open more Banks when funds are available for their maintenance and the additional staff required. The suggestion will receive sympathetic consideration.

189. COLONEL ABDUR REHMAN KHAN : Do Government know that in every Veterinary Hospital there is one Veterinary Doctor and a compounder in every Tehsil and if any epidemic appears in some Illaqa far off the head-quarters of the Veterinary doctor, he has to go there and in his absence there being no other doctor at the head-quarters, diseased animals die on account of there being no medical aid?

Will Government better the condition of the public by adding one more Veterinary doctor in every district?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Touring Veterinary Dispensaries are being established now and the Veterinary Assistants incharge of these dispensaries will as far as possible attend the outbreaks of contagious diseases in Muffasil areas.

Since every dispensary has a trained Compounder, the treatment work of ordinary nature at the Head-quarters cannot suffer during the absence of the Veterinary Assistant on tour. Efforts are, however, being made to have dispensaries at all the important places.

COLONEL ABDUL REHMAN : Is a compounder of the Veterinary department sufficient for a District?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : One compounder is not enough for a district but he is enough for a hospital.

Official Resolutions.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The resolution No. (1) standing on today's list of business will be moved by the Hon'ble Mr. K. N. Knox.

NOTE.—The Assistant Secretary read out the following resolution of the Hon'ble Mr. K. N. Knox (Revenue Minister).

1. This Praja Sabha recommends to the Council that an Erosion Committee for the Jammu Province, consisting of :—

1. Governor Jammu ... ... Chairman,
2. Divisional Engineer, P. W. D. Udhampur,
3. Director of Land Records,
4. Conservator of Forests Jammu,

5-8. Four Members of the Praja Sabha from rural areas representing different groups, be constituted to consider :—

1. The Home Minister's Inspection Note of March 1929,
2. Governor Jammu's proposals and correspondence thereon
3. The Punjab Erosion Comittee's report of 1932,

4. The opinion expressed by the Chief Conservator of Forests, Public Works Department and the Director of Land Records on the proposals referred to in (3),

5. Note on the results of afforestation of Jamna Chambal and other ravines and report on the following points :—

(*a*) The extent and causes of denudation and erosion in the low hills of Jammu Province and its effects on the economic and agricultural life of the Province and in particular on the level of the sub-soil water table in the sub-montane tracts,

(*b*) What measures may be adopted by the Government to check denudation and erosion in future and to reclaim the areas that have already suffered by such denudation and erosion in the past ; and

(*c*) If they can evolve practical measures, they should prepare a five or ten years' plan of works indicating the areas which should be taken up, the order in which they should be taken up, a note of the staff required and an estimate of the expense.

The Committee shall have authority to visit the affected areas and to call and examine witnesses."

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : Sir, I would like to submit that this matter has been under consideration for some time, and now and then proposals were submitted about it. Recently one of the hon'ble members tabled a resolution recommending the appointment of a commission to enquire how people could be saved the loss resulting from the denudation of land. Some how or other the resolution did not come up before this Sabha.

It is eight years now that the Hon'ble Home Minister prepared a note stating the extent of damage resulting from the rush of water in the rivulets. Subsequently some rules were framed to avoid this damage and a few villages were put under the supervision and control of a committee which included the members from the Forest Department. Experience proved that even this was not sufficient. Later on the damage owing to denudation of land increased and some hon'ble members sent in proposals about it. The proposals were sent to the Chief Conservator of Forests, Director Land Records and the Public Works Department for opinion. Their opinion was that raising of bunds etc., would avail but little ; and even if the bunds were constructed it would mean heavy expenditure but would not remove the defect.

There can of course be some hope of success if trees are planted on the banks of streams and rivulets, because the pressure of water cannot have much effect upon the roots of the trees. It is hoped that if this suggestion is carried out the whole difficulty will go. At the same time I would like to submit that nothing can be expected in this behalf so long as we do not have the co-

operation and help of the public with us. In view of all these facts I submit that a proposal suggesting the appointment of a committee to include besides other members some members of the Praja Sabha should be submitted to the Council for this purpose.

The Committee should be authorised to enquire and see what attempts are being made in the adjoining provinces of the Punjab and North Frontier Western Province to avoid such damage. After obtaining the opinion of these provinces and conducting an enquiry the committee should form its own opinion. The resolution has been moved now so that I may be able to reply to any query that any hon'ble member may have to make in this connection.

LALA HANS RAJ (Jammu Wazarat :Hindu) : I strongly support this resolution with the submission that for the last twenty five years that Illaqa has been ruined by the denudation of land, and thousands of ghamoons of land have been devastated. The Hon'ble Revenue Minister is aware of cases which show that the people have lost lacs of rupees owing to the denudation of land. Land worth eight lacs of rupees has been washed away. In the year 1935 houses worth one lac of rupees were ruined. During the last nine years the damage has been on the increase but no proposal, has so far, been made about it. It is two years now that the late Prime Minister stated openly that as this was an important matter he would soon take in hand and spend any amount from one to ten lacs on it. He further stated that if the State had no money he would borrow it and complete this work.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI (State :Councillor) : It was not stated about this but about the raising of bunds.

LALA HANS RAJ : Sir, it was said about the protection of lands from the denudation. I support the Hon'ble Revenue Minister's resolution about the denudation of land and submit that the committee shall have to tour many Illaqas especially those areas which have been ruined by denudation of land. This evil has gained so much strength that the people have been deprived of every inch of land. We had already raised a question for an inquiry into the erosions. It is fortunate that the hon'ble Revenue Minister has issued orders for the appointment of a committee. It would be very kind to adopt measures to protect the land of the zamindars from erosions and confer a benefit upon them.

PANDIT JIA LAL KILAM : Sir, my amendments to this resolution are :—

(*a*) Add the words "and Kashmir" after Jammu wherever the latter occurs in the resolution.

(*b*) Substitute 'eight' for 'four' in clauses 5 and 8 of the resolution and

(*c*) Substitute 'provinces' for 'province'. An important fact that I would like to submit in this connection is that in summer owing to the increase in rainfall many Nullahas rise flow with a great force and wash away much land. Nullah Vishau and Ranbiara may be specially mentioned here by way of example. Denudation and erosion of land increases when these Nullahs rise. The Government have been gracious enough to consider our requests and have sanctioned the appointment of an Erosion Committee for Jammu. The favour should be extended to the Kashmir province also, where much damage is caused by the denudation of land.

As regards the personnel I would submit that there should be eight instead of four members. I am not very particular for this thing that the members should be taken from this or that place, but I am particular for the fact that an inquiry in this respect should be held in the province of Kashmir also. I only suggest eight members.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Four from Jammu and four from Kashmir.

PANDIT JIA LAL KILAM : Yeș Sir.

MIAN AHMED YAR (Muzaffarabad :Muslim) : Before the present session of the Praja Sabha it was stated on behalf of the Government that some measures would be adobpted to protect land from denudation. It was hoped that the Government would keep the requirements of the whole State in view and appoint a committee for the whole State. But as it is the resolution moved by the Government pertains to one province only. No provincial differentiation should have been made in the resolution. I therefore support Mr. Kilam's amendment to this resolution and submit that in moving this resolution the Government have kept in view the Kandi Illaqa of Jammu province only. They think that the said Illaqa alone is effected by the denudation of land.

Kandi means the foot of a mountain. There are some Illaqas in Kashmir also which are sub-montane. If we study the situation and the natural construction of Kashmir and consider its geographical position also we shall find that there are many Illaqas in this province which stand at the feet of the mountains. As a matter of fact Handwara and Pir Panchal are situated as such. The Muzaffarabad district is similarly included in the Kandi Illaqa.

The snow fed streams of Muzaffarabad district cause a great damage in that Illaqa. I am of opinion that no other district has suffered as much loss as this district. But as it stands at a distance from the Head quarters and is backward, the high officers do not know much about it. I was going to put in the same amendment but Mr. Kilam satisfied the necessity. Anyway the

amendment is very valuable and essential. I support it. When a committee consisting of four members from Jammu and four from Kashmir is appointed for both the provinces it can discharge its duties properly. Any provincial preference on the part of the Government will be a blot which should not be allowed. While considering any measures for the Kandi Illaqa the Government should not ignore the Kandi Illaqa of the Kashmir province. With these words I support the resolution.

SARDAR DHIAN SINGH (Mirpur, Poonch :Sikh) : The resolution moved by the Hon'ble Revenue Minister is very valuable. When the committee begins its work the public will know its advantages. I tender my thanks to the Hon'ble Revenue Minister and would request all other hon'ble members to do the same. The amendment also is very reasonable. The Government should pay equal attention to all the Illaqas provided that the committee tours Poonch also. I would be glad if the House accepts this amendment.

SHEIKH ABDUL HAMID (State-Councillor) : Let the work be finished.

SARDAR HARI SINGH : I submit sir, that it is all correct but we have to see that if a man has four sons it is most essential for him to look after the weekest among them. Preference should therefore be given to places where the difficulty is greater. In the resolution that has been moved by the Hon'ble Revenue Minister preference has been given to the Kandi Illaqa.

A VOICE : It will be started from Kandi.

SARDAR HARI SINGH : Because lacs of acres of land have been washed away in this Illaqa.

PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : I want to say something about the number of the members only. We have to see what is the number of the official members and what is their necessity. When the committee is appointed in Jammu it will include the Divisional Engineer, the Governor and the Conservator of Jammu and when the official members of Kashmir are added I think the official element will increase. I would submit that there should be only one Minister as President in the committee. The rest of the members should be public representatives.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You are moving an amendment.

PANDIT RAM CHANDRA DOBEY : The number of the members will thus increase, but so far the members of no committee have exceeded eight in number.

THE HON'BLE MR. K. N. KNOX : Sir, I do not want to say anything that would conflict with the opinion of the House. I am however of opinion that the experiment should be started in Jammu. and if it succeeds there, it will be necessary to take it up in Kash-

mir also. I have no objection if the members desire that the experiment should be conducted in both the provinces. I do not object even to the increase in the number of members. It is a matter of principle that if we take anybody's land he will be displeased. Therefore as long as there is no unanimity of opinion on this matter there can be no hope of success. If all the members desire that Kashmir should also be included I will not oppose it. My personal opinion is that at first we should take Jammu only, because we have to observe the conditions prevailing in the Punjab as well. If the work is started in Kashmir also just now, there will be some difficulty.

MIRZA M. A. BEG (Anantnag :Muslim) : I would like to submit that the committee has been proposed for Jammu only, where material exists for its work. This being the case there will be some difficulty if Kashmir also is included. The work may of course be started in Jammu, but the officers in Kashmir should be directed to collect similar material in Kashmir in the meantime. In that case we shall have no objection.

THE HON'BLE MR. K. N. KNOX : What objection can there be to it?

PANDIT JIA LAL KILAM : Under these circumstances I withdraw my amendment.

MR. PREISDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Mr. Kilam withdraws his amendment. What is your opinion? (The House agreed)

The amendment has been withdrawn with the permission of the House, and as nobody has any difference of opinion regarding the main resolution it may be taken to have been passed. The names of four non-officials may be proposed now.

THE HON'BLE MR. K. N. KNOX : I am hardly in a position to select the members.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : If you want to know that you may enquire from the leaders of the groups. I propose the name of Major Prem Singh.

MIAN AHMED YAR : I propose the name of Mian Qurban Ahmed.

SHEIKH ABDUL HAMID : I propose the name of Rai Ghulam Hussain, who is a big zamindar and has never been a member of any committee.

LALA SHIV NATH NANDA (Srinagar Hindu other than Kashmiri) : You may put his name in some committee.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Propose some other name.

A VOICE : Lala Hans Raj.

SARDAR MAL SINGH : I propose the name of Sardar Dhian Singh.

PANDIT AMAR NATH KAK : I propose the name of Sardar Hari Singh.

KHAWAJA GHULAM MOHAMMED SADIQ (Srinagar, Amirakadal Muslim) : Sardar Hari Singh is not a rural member.

MIRZA M. A. BEG : The words in the resolution are 'rural members'.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The names of Sardar Hari Singh and Sardar Dhian Singh have been proposed. One of the two may be selected.

SARDAR MAL SINGH : In the resolution we have 'rural members'. Sardar Hari Singh is not so.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It is not proper to put this matter to vote but if there is difference of opinion it cannot be decided otherwise. As Sardar Hari Singh is not a villager it would be proper for him to withdraw.

SARDAR HARI SINGH : I withdraw my name.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The members will now be :—

1. Sardar Dhian Singh.
2. Major Prem Singh.
3. Mian Qurban Ahmed.
4. Lala Hans Raj.

SHEIKH ABDUL HAMID : The resolution pertains mainly to the Kandi Illaqa, but no member from that Illaqa has been taken in the committee. Rai Ghulam Hussain is a resident of that Illaqa, but Sardar Dhian Singh comes from Poonch. We should not be deceived. The Sardar Sahib is not acquainted with the conditions of the Kandi Illaqa.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Do you propose any name?

SHEIKH ABDUL HAMID : Rai Ghulam Husssain may be taken. Communal representation should be given consideration.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : He should be given some place.

SHEIKH ABDUL HAMID : He may be taken in place of Major Prem Singh.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Rai Ghulam Hussain's name has been proposed in place of Major Prem Singh. What is your opinion?

THE HON'BLE MR. K. N. KNOX : If there be no objection from the members the Government has got no objection to have five members on the committee instead of four.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You mean that Rai Ghulam Hussain should be included in the committee.

LALA SHIV NATH NANDA : In the resolution that has just

been passed it has been decided to have four members.

PANDIT JIA LAL KILAM : Sir, the resolution has been passed. Once it has been passed it is not upen to any discussion for six months to come.

WAZIR GANGA RAM (Reasi :Hindu) : I submit sir, that the Hon'ble Revenue Minister said that he wanted to make the committee popular, so that it may be successful. Therefore members should be taken from the district in which the work is to be conducted.

VOICES : No, no, no.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The resolution has been passed in favour of four members ; now it is difficult to make five.. But there is a rule (read out rule No. 27 of the Rules of Business and Procedure). I as President give permission for the moving of the resolution that the number of members may be made five instead of four.

THE HON'BLE MR. K. N. KNOX : Sir, with your permission I may take Wazir Ganga Ram's proposal and move that members from the same districts in which the committee may be working may also be taken.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : First let us decide about the number of the members.

THE HON'BLE MR. K. N. KNOX : I move that non-official members in this committee be five instead of four.

MIRZA M. A. BEG : I support it.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Anybody opposing.

NOTE.—Nobody opposed,

Now there will be five members :—

1. Major Prem Singh.
2. Rai Ghulam Hussain.
3. Mian Qurban Ahmed.
4. Lala Hans Raj.
5. Sardar Dhian Singh.

THE HON'BLE MR. K. N. KNOX : Sir, I move that the committee will have power to co-opt not more than two non-official persons as members to be chosen from the district in which the committee are working at the time.

MIAN AHMED YAR : I support the Hon'ble Revenue Minister. There can be no succees unless local members are taken. There will be much cry if they are not taken on the committee. It is therefore necessary to co-opt local members.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Anybody opposing?

NOTE.—Nobody opposed and the motion was carried.

SECOND RESOLUTION : The Hon'ble Revenue Minister will move it :—

NOTE.—The Assistant Secretary read out the following resolution :—

"In consideration of the present condition of the silk market the Praja Sabha resolves that payment for mulberry leaves should be postponed for the present".

THE HON'BLE MR. K. N. KNOX : Sir, the Hon'ble members must remember that it is a year now that my learned friend the Major Sahib moved a resolution which was accepted by the Government. The resolution recommended the grant of compensation to the zamindars for their mulberry leaves. At first I referred this matter to the Council and then called an informal committee to which I explained all the difficulties that would arise in enforcing this resolution. The most important difficulty is that the silk industry does not yield so much profit, as would enable us to pay for the mulberry leaves. The hon'ble members know that, at present, the industry is running at a heavy loss and silk trade is not profitable. Even in other countries the silk factories are running at loss. How can we hope for success in Kashmir when those countries have not been successful. In the past the industry yielded an annual profit of fifty or twenty five lakhs to the State in the days of prosperity. During the last five or seven years it has yielded no profit, but has on the other hand been running at a loss. In one year the loss amounted to two or three lakhs of rupees, in another to fifty thousand and in a third to one lakh. The State has, so far borne this loss. The market has improved a little, and it is hoped that some profit will accrue this year. We do not know, for certain, what the profit will be, but it is thought that it will approximate to fifty or sixty thousand, but not more. At the time when the industry was running at loss the Government reduced the staff, and also their salaries by 10 per cent. The wages of the labourers were also reduced, but the ratio was different. For the silk-rearers who brought the cocoons from outside a reduction of 40 per cent. was proposed. The Government promised that when the industry would yield a profit the labourers would be paid full wages, and the zamindars full price for the leaves. So far the profits have not been sufficient to implement the promise, and if at present the Government begin to pay the zamindars for the leaves, they shall have to close the factory at Jammu. I cannot say anything about Kashmir. If the loss, that has accrued for the last five or seven years, continues, it is not known what will happen.

The resolution, that I have put before the House, has been accepted unanimously by the commtitee. Keeping the conditions of the market in view, the House I hope, would pass it, and payment for leaves should be postponed.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Anybody to support it?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : I support it.

COLONEL ABDUL REHMAN (Udhampur :Muslim) : There are two objections to the resolution about mulberry leaves that has just been moved by the Hon'ble Revenue Minister. The first is that he has not stated how long the payment is to be postponed. The second objection is that if the zamindars are not paid for the leaves of their trees, they will let the small mulberry plants go to waste. Therefore they should be paid at least one pice per tree if not more so that they may take proper care for them.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The hon'ble gentleman proposes that the business might be closed. But there are so many people who will lose their livelihood.

COLONEL ABDUL REHMAN : If we look forward to progress in future, the zamindars should some how be satisfied. They should at least be paid one pice per tree. That is what I want to say.

MAJOR MIRZA ATTA MOHAMMED : When the matter came up for discussion in the Standing Committee, it was recommended that.....

PANDIT LOK NATH SHARMA : He cannot refer here to the proceedings of the Standing Committee, sir.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It was not a Standing Committee.

MAJOR MIRZA ATTA MOHAMMED : It was said at that time that as the department had no money, it would be proper to postpone the payment for leaves for some time. I supported the proposal that if the payment were postponed for some time, it would do no harm.

SARDAR KANHAYA SINGH : Sir, the Hon'ble Revenue Minister called a meeting to which, besides some zamindars of Jammu, other responsible persons were also invited. At that time, the Hon'ble Revenue Minister said that the State gets an income of $12/\frac{1}{2}$ lakhs from the silk sold outside the State, which he considered was very little, as the factory was yielding no profit. There are $8/\frac{1}{2}$ lakhs of mulberry trees in the Kashmir province and if the State has to pay for these even at the rate of one or two annas per tree, it will mean an unbearable burden. If the price is paid, it will not go to the petty zamindars, who rear silk, but will benefit the big zamindars. If the latter forego the price in the interests of this industry, the result will be that the small zamindars will be able to pay the land revenue. At present, the question is not that payment should altogether be stopped. The question is that for the present it should be postponed, for some time. When things improve and the factory begins to run at a profit, the price of cocoons will be raised from

Rs. 12/8/- to Rs. 16/8/- per maund.

When all the members of the Committee have agreed to it, and the factory is also for the benefit of the public, I think the resolution should be accepted. There is no harm if the big zamindars make a little sacrifice for some time. Therefore the House should agree with the Hon'ble Minister. With these words I support the resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Colonel Abdul Rehman said that one pice should be paid per tree. Nobody supported this amendment of his.

COLONEL ABDUR REHMAN : I have not proposed any amendment. I simply say that something should be paid, be it a pice or more.

PANDIT AMAR NATH KAK : If it is said by way of opposition, it is in order ; but as an amendment it is not in order, because it is not in time and has not been entertained by the Hon'ble President.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : I suppose the original resolution was not published in time.

PANDIT AMAR NATH KAK : So the President grants permission.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : There is no notice of the amendment, and now it is time barred.

COLONEL ABDUL REHMAN : I did not move any amendment ; I said something should be paid.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The matter will be taken at 2 o'clock now.....

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Does anybody support Colonel Abdur Rehman Khan?

(None).

Evidently there is nobody to support the opposite side. Now I shall put the resolution to the vote of the House.

MIRZA M. A. BEG : Does the Hon'ble President ask for supporting the resolution or for speaking on the amendment?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Specches on the original resolution will begin. Who will speak?

MIRZA M. A. BEG : One member from our grounp will speak.

MIAN AHMED YAR : Sir, as regards the original resolution that has been placed before the House, the Hon'ble Revenue Minister has explained the difficulties that the Government shall have to confront in paying for the mulberry leaves. In this connection, Sardar Kanhaya Singh has rightly stated that silk worms are reared by the big zamindars, and it is mainly such zamindars, who derive benefit from it. As a matter of fact, the correct import of the original resolution that was moved in the House was that the zamindars should obtain mulberry leaves from one another on payment of price. The purport of the present resolution also which

seeks to abrogate the previous one, is that zamindars who do not rear cocoons themselves should obtain mulberry from other zamindars, who do not rear cocoon, on payment of price. The Government is of opinion that if such leaves can be sold, people will give up silk rearing. The Hon'ble Revenue Minister said that, as a result, the silk factory shall have to be closed.

I would like to submit one fact about this resolution. As has already been stated by the Hon'ble Revenue Minister the Committee that was appointed for this purpose considered the remission of revenue for areas under the shadow of mulberry leaves. The committee unanimously agreed that the land revenue of areas, under the shadow of mulberry leaves, should be remitted, so that the zamindars may get some relief.

Rules do not permit the zamindars to preserve their trees at will. This being the case, the zamindars cannot derive any benefit from the area under the shadow of the trees. It is therefore necessary that the revenue of such areas should be remitted. Unfortunately the revenue was not remitted in most of the Illaqas, owing to some errors in the preliminary settlement. This suggestion, which the Hon'ble Revenue Minister made to the committee, was very sound. On consideration, the committee decided that the revenue of areas, under the shadow of mulberry leaves, should be remitted. However, in the interests of the city labourers, the necessity for whose livelihood has been stressed in the House, we do not oppose this resolution. But, the suggestion that the payment should be postponed for the present is ambigous. It does not show how long the payment is to be postponed. It is therefore necessary that the ambiguity should be removed and the position cleared.

Another fact that I would like to submit with regard to this resolution is that the committee has finally decided that land revenue for areas, under the shadow of mulberry leaves, should be remitted, more so, because a resolution has been passed about it. In any case the Zamindars should get some compensation, so that they may be satisfied.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : This is really a suggestion on your part.

MIAN AHMED YAR : Yes, actually I support the resolution, but ask the Government to accept my suggestion.

The Government should also declare its policy with due regard to the release of the cut imposed on the wages of labourers during the days of depression, and the policy about the silk factory, which is connected with the question of labour. It should make the factory useful and provide facilities for business For the present, the revenue of areas under the shadow of mulberry leaves should be remitted, in the case of cocoon-rearers so that they may

get some relief.

MR. K. N. KNOX (The Hon'ble Revenue Minister) : Sir, in the very begining I stated in clear terms that the Government is prepared to remit the revenue of land under the mulberry trees and the crops damaged by their shadow. But there was a difference of opinion on this point among those, who were consulted. Most of the members emphasized the fact that land revenue should be remitted. Therefore a resolution on that subject was put up at first. Subsequently it was stated that if the Government remit the land revenue, it would make very little difference in Kashmir. Orders for the remission of land revenue for areas under shadow exist in the settlement office, but have not been carried out. Jammu province has benefitted a little. The Government is prepared to remit this revenue.

Another point pressed by the Hon'ble members is that the period, for which the payment is to be postponed, has not been fixed. The persons whom I consulted on this point stated that the Government could not be bound about it. Who knows how long the present condition of the Silk Market will continue. There may be such a revival in four years time, that the industry may succeed again.

Besides I did not lay any emphasis on the payment of price for mulberry leaves, because I am of opinion that it will give rise to some difficulties. If the Government decalre that owners of mulberry trees can recover price for the leaves, it will necessarily lead to a great row and the poor people will suffer. It has just been stated that every owner will get a few pice. Will this not have a bad effect? When the silk trade improves the difficulties of the zamindars will be taken into consideration. The present condition of the market does not permit the matter being considered, especially when there is no money.

MIAN AHMED YAR : Will the cocoon-rearers be paid at the old rates?

THE HON'BLE MR. K. N. KNOX : I have said that the matter is under consideration of the Government. The accounts of the Department will be audited this year and we shall see how much profit will accrue and how far it will permit the labourers and cocoon-rearers being paid at the old rates. I assure the House that the matter will not be put off to the next year, and we shall begin to take action this year.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It seems that nobody is going to vote against the original resolution. Those of the Hon'ble members who are in favour of the resolution may please raise their hands.

The resolution was passed by show of hands.

Official Bills.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Now Hon'ble the Home Minister will place before the House the bill to regulate the possession of Wireless telegraphy Apparatus and move that the bill be taken into consideration.

NOTE.—This bill has been published in the Government Gazette No. 48, dated 16th September 1937.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Sir, In British India there are Laws and rules to control the import, possession and use of all Wireless apparatus, but so far, we have no such laws or rules in the State. Any person using Wireless Apparatus in British India without permission has to obtain a license for the same. It is highly essential to control the Wireless Apparatus in this State as is done in British India. With this object in view it is proposed to enforce, in this State, a law on the lines of the British Indian Law, under which rules will be framed when necessity arises, for controlling the use of wireless apparatus. According to these rules, licenses will be granted on prescribed fees for the import, possession and use of Wireless telegraphy and broadcasting apparatus. The possession of such apparatus, without a license will be made penal. The import, possession and use of Wireless Apparatus will be controlled under these rules. This will also yield some revenue to the Government, which it is hoped will increase appreciably because of the increase in the taste for and the use of wireless telegraphy. Therefore I move that this bill which has been brought before the Assembly be taken into consideration.

PANDIT AMAR NATH KAK : It may first be ascertained whether anybody is going to oppose this bill?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : That stage has been passed, because the bill has been published in the Gazette.

PANDIT AMAR NATH KAK : As an amendment, I move that the bill be referred to a Select Committee under Rule 55 (*a*).

"If the member-in-charge moves that his bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion".

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You are referring to Rule 55.

PANDIT AMAR NATH KAK : Yes sir.

MR. M. A. BEG : I support the motion of Pandit Amar Nath Kak.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Do you want to say anything in this connection?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN KT.) : It may be taken into consideration just now.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : If you want to say anything in support of your motion you may do so.

PANDIT AMAR NATH KAK : A study of this bill shows that its main purpose is the imposition of the license fee. It has not been touched so that we could express any opinion about it. This has been left over for the rules and the bill is therefore incomplete. Wherever the word "Court" has been used, it has not been stated as to which court is meant.

A VOICE : It is not "Court". It is Magistrate.

PANDIT AMAR NATH KAK : It has not been stated which magistrate is meant—1st class, 2nd class or 3rd class.

A VOICE : Or a District Magistrate.

PANDIT AMAR NATH KAK : Or Honorary Magistrate.

So long as the bill is not referred to a Select Committee, it will remain incomplete and there will always be disputes. Difficulties will arise and necessitate amendments every now and then. Similarly wherever searches have been mentioned, no boundaries have been specified. It has also not been stated under what circumstances such searches are to be conducted. These and other matters require explanation and improvement. It is therefore necessary that the bill be referred to a Select Committee.

MR. M. A. BEG : The Bill has been drafted so harriedly that even a cursory view reveals its defects. There are many ommissions in the bill and from the legal point of view it is incomplete. Therefore I support Mr. Kak's motion and close my speech.

LALA SHIV NATH NANDA : Mr. Kak wants the bill to be referred to a Select Committee. Hon'ble the Home Minister also desires that the bill should be passed in this session. The Select Committee can meet on off-days, consider the bill and submit its report soon. With these words, I support the motion.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Then you agree that it may be sent to the Select Committee for consideration.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : I have no objection, if it can be done soon.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The members of the Committee will be proposed now.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : propose the following names :—

1. Pandit Amar Nath Kak.
2. Mirza Afzal Beg.
3. Pandit Ram Chand Dobey.
4. Munshi Asadullah.

5. Sardar Hari Singh.
6. Khawaja Saif Shah.
and
7. Hon'ble Home Minister (Chairman).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The Hon'ble Home Minister proposes the following names :—

1. Pandit Amar Nath Kak.
2. Mirza Afzal Beg.
3. Pandit Ram Chand Dobey.
4. Munshi Asadullah.
5. Sardar Hari Singh.
6. Khawaja Saif Shah.
and
7. Hon'ble Home Minister (Chairman).

MR. M. A. BEG : I propose Mr. Sadiq's name in my place.

PANDIT RAM CHAND DOBEY : I propose Mr. Ram Lal's name in my place.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Have you got any objection.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Absolutely none.

PANDIT JIA LAL KILAM : I propose Haji Ahmadullah in place of Mr. Ghulam Mohommed Sadiq.

HAJI AHMEDULLAH SHAHDAD : I withdraw my name.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The names, as finally decided, are :—

1. Pandit Amar Nath Kak (Member).
2. Khawaja Ghulam Mohammed Sadiq (Member).
3. Lala Ram Lal (Member).
4. Munshi Asadullah (Member).
5. Sardar Hari Singh (Member).
6. Khawaja Saif Shah (Member).
and
7. Hon'ble Home Minister (President).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The Judicial Secretary will now move that the bill to explain certain expression as used in Regulations and Rules be taken into consideration.

NOTE.—This bill has been published in the Government Gazette No. 48, dated 21st September 1937.

PANDIT RAM NATH SHARMA : The bill to explain certain terms has been published in the Gazette and copies supplied to every member. I move that the bill be taken into consideration.

LALA HANS RAJ : I did not receive a copy.

PANDIT RAM NATH SHARMA : I want to say a few words about the principle that has prompted this bill. Before Regulation

No. I of 1991 was promulgated all powers of legislation were vested in His Highness the Maharaja Bahadur. Under the Consitution His Highness has been pleased to delegate some of the powers to the Council of Ministers and the Praja Sabha and in compliance with His Highness' Commands such cases as are reserved under Section (7) are not submitted to the Council but orders on them are obtained direct from His Highness. All Regulations and Rules promulgamated before 1991, have the force of law and the expressions that are sought to be explained through this bill have been used in the Said Regulations to enable His Highness to exercise powers with regard to certain matters and to promulagate some rules. As these powers can now be wielded by the Council under Regulation No. I. this bill has been placed before the Praja Sabha with that object in view.

Section 2 of the Gambling Regulation may be cited as an example. The section provides that His Highness may extend this Regulation to any part of the State but under Regulation No. I this can be done by the Council. It is to explain these matters and to achieve this object that the bill has been moved. It may be taken into consideration.

PANDIT LOK NATH SHARMA : Sir, it is for the first time that as a State Councillor, I am opposing the Government. The opposition is due to my sense of loyalty to His Highness the Maharaja Bahadur because I understand that this bill attempts to define the powers of His Highness. There appears to be some dispute between His Highness and the Council on this point. It would have been quite different if the Judicial Secretary had seen which of the Regulations need amendments. You will see, Sir, that the bill which is being placed before us in the shape of a Regulation, cannot be supported. How according to what Mr. Sharma says, has the Council been invested with powers under any Regulation. So far as the personality of His Highness goes, we cannot refer to it in the House and this bill, which is being introduced by the Government is subject to the restrictions, imposed on private bills. Sir, if you refer to Section 7, you will find it clearly stated that measures affecting the powers of His Highness cannot be introduced in this House. Even if the bill is passed, it will lead to a conflict between the powers of His Highness and the Council.

I submit Sir that under the Criminal Procedure Code, His Highness is competent to confirm death sentence. If Mr. Sharma's bill is passed, all these powers of His Highness will go to the Council. Section 3 and 6 of Regulation No. I of 1991 are clear on this point.

(NOTE.—The Hon'ble Member read out Sections 3 and 6 of the Bill).

What I mean is that no powers other than those of Civil ad-

ministration have been delegated to the Council. Sir, a reference may also be made to Section 23 of Regulation No. I of 1985. His Highness is competent to reduce the sentence in Criminal cases and to set aside the decision of the High Court in Civil Cases. It was because of that that a few days back, the Council declared that under Section 23 it had no right to interfere. If Mr. Sharma's bill is passed, section 23 will have no meaning. The general control and the preprogative of mercy or pardon vested in His Highness by Section 23 have also not been delegated to the Council so far. The Gambling Regulation is being cited as an instance, in disregard of these facts, with the expectation that we shall accept it readily. Apparently it seems to be a formal procedure, but if the Government benches had kept its importance in view, such a bill would never have emeraged from them. Under Section (II) of the Land Revenue Regulation, appeals against the decisions of the Revenue Minister can be preperred to His Highness. The bill shows that it is intended to vest all these powers in the Council. When a law is enacted some saving clause or provision is incorporated in it. In the present bill the proviso is :—

"provided that such Regulations or Rules deal with such subjects as are not reserved under Section 7 of the said Regulation".

Besides this, the bill touches all laws, in force in the State. It may be stated that these are consequential amendments, but I submit that they are not so. If Mr. Sharma had examined all the Regulations and pointed out defects in the various Sections, the House would have readily agreed. But inasmuch as fundamental rights are concerned, the bill is not acceptable. With these words I submit that the Government should itself see whether the bill is worth being introduced in the Praja Sabha or not.

PANDIT AMAR NATH KAK : Sir, the least that I can say about this bill is that it is ill-conceived and ill-advised. Mr. Sharma drew my attention to its importance yesterday, while we were walking, and I gave it a little consideration. Subsequently I brought it to the notice of my hon'ble friend Mr. Sharma—the Judicial Secretary—and asked him whether there was any pressing necessity of moving for its introduction in the House. On going home, I looked into most of the Regulations enforced before the promulgation of Regulation No. I of 1991 and after it, and found that my learned friend—the Judicial Secretary—had presented this bill, which is in fact a very bitter pill, in the most suitable and sugar-coated form so that we could swallow it quickly. To show that the bill is harmless, reference has been made in the statement of Objects and Reasons to three or four Regulations only namely, the Land Revenue Regulation, Criminal Law Amendment Regu-

lation, Excise Duty Regulation and the Right of Prior Purchase Regulation. In this bill our attention has been drawn to that part of these Regulations where the words "His Highness" have been used which, it is proposed, will now be substituted by the word "Council". It has therefore been called the Interpretation Regulation. Out of deference the words "His Highness" have apparently been retained, but, in reality it has been directed that they should be taken to mean 'Council'. If we go deep into the meaning of this amendment, we shall find that our State is much in advance of the Indian Constitution, and the British Constitution. Even in the Government of India Act, there are provisions such as "Governor General in discretion" and "in personal discretion". Similarly we have got the prerogative of the kind in the British Constitution, but wherever there is such provision in the State, it is being attempted to transfer the prerogative to the Council. Though the Statement of Objects and Reasons contains a reference to four Regulations only, but a study of Section 2 shows that the bill will apply to all Regulations. If the Government actually feel some difficulty in the application of any particular Regulations, they should have presented the names of all the Regulations, in which these words are used and amendment is necessary, in the form of a schedule, so that we could see whether any change is called for or not. Reference has been made to two or three Regulations and we have been asked to read 'Council' for "His Highness" in all the Regulations enforced before and after the Regulation. The intention, probably, is that all powers should be wielded by the Council. The words 'Council' and "His Highness" are not synonymous, having the same meaning.

The definition is :—

His Highness" means His Highness the Maharaja Bahadur of Jammu and Kashmir, and "Council" means the Council of Ministers of Jammu and Kashmir hereinafter referred to. It is clear from this that "His Highness" is a separate entity. If the bill is accepted, the position will be anamolous, because His Highness shall not have a sepatrate entity. It was not therefore proper to take up such a bill. In all the proposed Regulations, the words "His Highness" are to be taken to mean "Council".

Mr. Sharma has drawn the attention of the House to the High Court Constitution. I had given notice of a bill to change the constitution. The bill proposed the provision of a Privy Council in the laws of the State. Permission to introduce the bill was refused to me on the ground that His Highness alone was competent to change the High Court Constitution, and the Council could do nothing in the matter. In the previous session I tabled a resolution about it and though it was admitted I could not move it in the House. This year I gave notice of a similar resolution again,

but was told that the Hon'ble President had rejected it, because the Council has no right to consider such resolutions. It is thus clear that the Praja Sabha cannot consider any of the Sections of the High Court Constitution from Sections 1 to 25, because the constitution has been laid down by His Highness himself, and contains provisions of Royal preprogative. Section 3 or 4 of the constitution provides that Judges of the High Court will be appointed by His Highness and shall continue their services during the pleasure of His Highness. If the bill is passed, we shall have to read "Council" for "His Highness". Similarly other powers of His Highness will be transferred to the Council. I have seen other Regulations also, which have the force of law and in which the proposed change will mean the vesting of the sovereign powers of His Highness in the Executive Council. Has His Highness agreed to the transfer of his powers to the Council? Has he agreed to even the Royal prerogative being used by the Council, and he being reduced to a non-entity? As a representative of a community, I submit that this is not a step in the right direction. It would have been better to annex to this bill a schedule of all the Regulations, wherein the amendment is needed. As it is, we have been kept in the dark, and a sweeping amendment is proposed. From the peoples' point of view this bill is not commendable. If it were suggested to transfer these rights to the Assembly, and let matters, powers with regard to which are vested in His Highness under different Regulations, to be considered first by the Assembly and then submitted to the Council, the proposition would have been worth consideration from the peoples' point of view. But the proposal is to transfer the powers to an irresponsible executive. Our Council is irresponsible and from this bill, I gather that from the Sovereign personality of His Highness powers are being transferred to an Executive Council which is an irresponsible executive. It avails the people but little. It is not a verbal amendment. This Regulation has got far-reaching consequences, although put in a simple form. On this ground, I submit that it is an ill-advised and ill-conceived bill. It would be proper for the Judicial Secretary to withdraw the bill and prepare a list of the Rules and Regulations which present a difficulty for want of this verbal amendment. The list ought to have been placed before the House, so that it could be seen whether the suggestion is sound or not. The present bill is not acceptable to the House and I do not wish that it should be passed. I hope the House will reject it.

LALA HANS RAJ : At first I said that I had not received a copy of the bill, but now I find it on my table. Though I have not read the bill, yet I am in complete agreement with what has been said by Mr. Lok Nath Sharma and Pandit Amar Nath Kak. The bill should not be accepted. In fact it should never have been

brought before the House.

Sir, I want to invite your attention to two facts. All laws that are in force in the State, affect the people. The Assembly has been constituted so that its members may inform the people as to which of the laws are beneficial for them and which are harmful.

Mr. Kak has given a complete explanation of this bill in his speech. It is evident from it that an attempt is being made to detract from the prerogative and powers of His Highness.

It would have been proper to bring this bill before the House after an extensive inquiry. I therefore oppose it strongly.

PANDIT JIA LAL KILAM : I want to raise a point of order, Sir. The bill, that is before the House, cannot be introduced under the constitution. The law on the subject is contained in Section 7 of Regulation No. I of 1991, which runs as :—

The following subjects shall be deemed to be reserved from this Regulation and it shall not be lawful for the Council or the Assembly to consider, deal with or enact any measure relating to or affecting :—

(*a*) His Highness or any member of the Royal family or the management of their household ;.....''

The bill now under discussion contains the expression "His Highness" with which we have to deal and as such it contravenes the provisions of Regulation No. I of 1991. We cannot express any opinion where the expression "His Highness' occurs. You may be remembering that last time also I raised this point of order that nothing concerning His Highness can be discussed in the House. Therefore I hope that by exercising your discretion, you will not permit, sir, any more discussion on the bill and it will be withdrawn.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : But, what is the point of order?

PANDIT JIA LAL KILAM : Sir, my point of order is that this bill relates to His Highness and under Section 7 of Regulation No. I of 1991 this cannot be discussed here because any measure which relates to or affects His Highness cannot be discussed on the floor of the House. It may be said on behalf of the Treasury Benches that it does not affect the powers of His Highness but I submit, sir, that it certainly relates to His Highness.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Will you please point out the exact clause you rely upon?

PANDIT JIA LAL KILAM : Section 7, clause (*a*), Sir !

The words are :—

"Any measure relating to or affecting His Highness cannot be discussed in the House".

If I may be able to prove that this measure relates to His Highness then I feel, Sir, that I am submitting a right point.

There is another point, Sir,.....

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Just a minute please.

PANDIT JIA LAL KILAM : Under the Land Revenue Act, His Highness is the final appellate authority. Does it mean now that Council will exercise appellate powers.

MIRZA M. A. BEG : Is this discussion in continuation of the point of order Sir?

PANDIT JIA LAL KILAM : If my point of order is not considered by the Chair then I am raising an alternative point.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : All right, I shall give you a ruling day-after-tomorrow on this point. There is a garden party today and many of you may be attending it. (Laughter)

The Sabha may adjourn now.

MIRZA M. A. BEG : This discussion may kindly be adjourned to some official day rather than to Saturday which is a non-official day.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Yes, to the next official day.

The Praja Sabha adjourned till Saturday the 2nd October 1937.

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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

4TH DAY

(2nd October 1937)

NON-OFFICIAL BILLS

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



JAMMU:

Printed at The Ranbir Government Press—28-9-94—150.

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JAMMU AND KASHMIR PRAJA SABHA.

Saturday, the 2nd October 1937.
17th Assuj 1994.

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the Chair.

QUESTIONS AND ANSWERS.

190. SUBEDAR KHAN MOHAMMED KHAN: How many cases of larceny were reported to have occurred in each Thana from 1st Baisakh 1991 to 1st Baisakh 1994, how many cases per Thana out of these were challaned in the Courts and how many per Thana were reported not to have occurred and how many cases were filed per Thana under Section 182 ?

WAZIR FEROZ CHAND (Wazir Poonch): The following table will show the number of cases of larceny reported to have occurred, admitted and challaned in Courts from 1st Baisakh 1994 :—

Serial No.	Name of Thana.	Number of cases reported.	Number of cases not admitted.	Number of cases challaned.
1	City ...	58	28	20
2	Saddar ...	52	32	15
3	Kahuta ...	10	7	1
4	Sohran ...	42	31	5
5	Dharmsal ...	57	38	9
6	Dhirkot ...	9	7	2
7	Hajeera ...	22	14	5
8	Palandri ...	23	15	6
9	Thakiala ...	27	23	1
10	Bagh ...	16	10	5
11	Karloop ...	3	.....	.....
12	Rawlakote ...	24	13	5

The statements with regard to the number of cases filed per Thana under Section 182 are awaited from the outlying Police stations. The requisite information will be furnished as soon as it is collected.

191. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Is it a fact that some teachers in the village Primary Schools are such who have passed the 5th Primary Class only and most of the teachers cannot solve arithmetical problems of the 5th class ? These teachers do not observe punctuality, open the schools at 12 o'clock, close them at 2 or 3 o'clock and it is the monitors who teach lessons. The schools are closed on the rainy days, the teachers do not attend the schools for days together, the teaching work remains at stand still and the only item attended to is the entries in the registers. The first quarterly and the half-yearly examinations are not held regularly on account of the fact that there is only one Inspector of Schools for four Tehsils and he too without any powers. The annual examinations are held only nominally and the students are promoted to the higher classes without any examination. Thus the careers of the students are being spoiled, the public money is being wasted and both the Ruler and the ruled are being put to a great loss. If the reply to the above be in the affirmative, will the Wazir Poonch, take steps for removing these defects ?

(*b*) Is it a fact that there is only one Inspector of Schools and one and the same official is discharging the functions of the Head Master and the Educational Officer? If the reply be in the affirmative, will the Poonch authorities appoint one more Inspector and will the post of the Head Master and that of the Educational Officer be made separate so that the condition of the village schools may be improved ? If not, the reasons for it may be stated ?

WAZIR FEROZ CHAND : (*a*) Yes, some of the village teachers have passed only the 5th Primary Class Examination. But these teachers are very old and experienced. It is absolutely wrong to say that they cannot solve the arithmetical problems of the 5th class and do not observe punctuality. It is true that at certain places where the scholars cannot attend the school during the rainy and snowy days the teachers incharge of such schools have to close the schools for these days, but this happens in very rare cases. It is in very exceptional cases that the teachers who have no assistants entrust the work to monitors when they are absent on casual leave. Examinations are held regularly

and only deserving students are promoted to higher classes. The Inspector generally remains on tour and proper supervision is exercised. Most of the Poonch Graduates are the products of village schools. All this shows that the complaint is not based on facts.

In view of the above the last portion of the question does not arise.

(*b*) *1st part.*—Yes.

2nd part.—As the existing arrangement is working satisfactorily, it is unnecessary to have a separate Inspector for these schools.

SUBEDAR KHAN MOHAMMED KHAN : If these defects are proved will any satisfactory arrangement be made ?

WAZIR FEROZ CHAND : Yes, action will be taken regarding it.

192. SUBEDAR KHAN MOHAMMED KHAN : Gainda Mal, Drill Master Palandari High School who comes from U. P. is quite old and knows nothing of physical instructions and is getting a pay of Rs. 40 per mensem. Formerly he was in the Poonch High School and a retired soldier was working as a drill master in the Palandari High School on Rs. 20 per mensem. Later on another drill master was appointed in the Poonch High School. The Chief Educational Officer reported that he was quite inefficient and unfit for service and the same fact was several times brought to the notice of the Wazir Poonch who gave an assurance that either he would be transferred to Poonch or retired. If the reply to the above be in the affirmative, he may either be transferred to Poonch or some other provision be made for him elsewhere and some instructor from the Army may be provided for the school so that the sons of the soldiers may be benefited.

WAZIR FEROZ CHAND : L. Gainda Mal is a fully qualified Drill Instructor. However, in view of the Chief Educational Officer's report, his retirement has been sanctioned and the appointment of a successor to him will be considered in due course.

193. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Last year on the occasion of the tour in Tehsil Bagh, it was represented by the zamindars that Yograj, Head Master Middle School Bagh and Peshawara Singh teacher are always quarrelling with each other with the result that the students do not make any progress in study.

If the reply be in affirmative, was any action taken against these two teachers ? If not, why not ?

(*b*) On the complaint of zamindars both Mr. Yograj Head Master and Peshawara Singh were, on account of

their quarrelling with each other, transferred from Bagh to Palandari High School. Will the Chief Educational Officer please state as to what good has resulted by keeping both these teachers at one place and why has the Chief Educational Officer not taken them in his High School? The reasons for it may be stated?

WAZIR FEROZ CHAND: (*a*) Yes. They were both transferred from Bagh.

(*b*) In the interest of the work both Mr. Yograj and Peshawara Singh were transferred from Bagh and put as subordinate teachers in Sri Jagatdev High School Palandari. Their presence in the said school under the Head Master does not in any way interfere with the progress of the students in their studies. The last portion of the question does not arise.

194. SUBEDAR KHAN MOHAMMED KHAN: (*a*) Is it a fact that Ghulam Ali Khan, a Cavalier in Poonch Cavalry, served for 32 years and while still in service he fell ill and died and the Raja Sahib was pleased to sanction Rs. 10 per mensem in lieu of his pension for the education of his two sons Mohammed Afzal Khan and Walliat Khan together with a provision to the effect that both the boys should continue to receive scholarships till they passed the Matriculation Examination. But when Mohammed Afzal Khan and Walliat Khan were still in the 7th and 6th class respectively, the scholarships were stopped.

(*b*) If the reply be in the affirmative, the reasons for discontinuing the scholarships which were awarded to them in lieu of their father's pension and were to be paid to them till they passed the Matriculation Examination, may be stated?

WAZIR FEROZ CHAND: (*a*) Yes.

(*b*) These scholarships and similar other Mukarraries had to be stopped due to financial stringency.

SUBEDAR KHAN MOHAMMED KHAN: Will there be any substantial gain by stopping a scholarship of only Rs. 10 awarded to the two students one of 1st Middle and the other of 2nd Middle classes in lieu of their fathers' 32 years service.

The Wazir Sahib says that a retrenchment has been made.

Mr. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing to Wazir Feroz Chand) The question is whether what will be the arrangement for the education of these children.

WAZIR FEROZ CHAND: These students were awarded

scholarships from the Dharmarth fund which has been stopped. I shall keep them in view at the time of awarding scholarships.

195. MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide question No. 695 Q. D. No. 465 Jammu Session and question No. 704 Q. D. No. 688 dated 20th Assuj 1993 Srinagar Session*) (*a*) Does the Hon'ble Home Minister know that in the question referred to necessity for establishing dispensaries in (1) Thanna, (2) Tariroo, (3) Dharmsal of Tehsil Rajouri has been admitted?

(*b*) If it is a fact then will it please be stated why the reply to part (*b*) of the Q. D. No. 688 was given in the negative?

(*c*) Will the Hon'ble Home Minister remove the grievance of the people by opening Dispensaries in the said places? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister): (*a*) Yes.

(*b*) In reply to several such questions asked in the Praja Sabha it has been made clear that opening of more dispensaries is not feasible unless the condition of present dispensaries is improved.

(*c*) In the new scheme under comtemplation to provide more medical facilities in the Mufassil areas, it is proposed to appoint subsidised Doctors one at Thanna and one at Dharmsal.

MAJOR MIRZA ATTA MOHAMMED KHAN: My question related to Thanna, Tariroo and Dharmsal but no reply has been given as regards Tariroo although the people of that place are in great trouble.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The question of improving the present dispensaries is under consideration and unless this is done opening of more dispensaries is not feasible.

196. MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide question No. 462 Q. D. No. 446 dated 27th of March 1936 Jammu Session and question No. 707 Q. D. No. 689 dated 20th Assuj 1993 Srinagar Session*) (*a*) Will the Hon'ble Revenue Minister, after carefully examining the questions referred to, enter those Muslim classes which have been declared non-agriculturists in the list of agriculturist classes and thus remove the unrest of the people? If not, why?

(*b*) Does the Hon'ble Revenue Minister know that these classes are in reality agriculturists, but they have not been included in the list of agriculturist classes?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On

behalf of the Hon'ble Revenue Minister): (*a*) Those classes which did not satisfy the necessary conditions were treated as non-agriculturists irrespective of any considerations of caste and creed.

There is no bar to such cases being considered on their merits even now.

(*b*) Does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN: When such classes are agriculturists and when they have applied to be declared as agriculturists why their case is not considered and why they are not declared as agriculturists.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: The answer given contains the full particulars. If any class satisfies the necessary conditions of the Regulation, it can be declared as agriculturist.

MAJOR MIRZA ATTA MOHAMMED KHAN: This question is being put in the Praja Sabha for the last four years and several reports have been submitted to the Government by the Wazirs-Wazarat but so far no satisfactory arrangement has been made.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Everything can be done if the rules are followed.

MAJOR MIRZA ATTA MOHAMMED KHAN: Sir, we are proceeding according to law but there is a great discontentment amongst the subjects because no decision has so far been made.

198. MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide question No. 772 Q. D. No. 693 dated 20th Assuj 193 Srinagar Session*) — Will the Hon'ble Revenue Minister place on the table of the House a copy of the Pattas of Poonch and Chenani Jagirs according to the terms of which double duty is charged on the export and import of goods in the Jagirs? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The Poonch Illaqadar is entitled to charge duty on exports from and imports into his Illaqa The State does not levy duty on goods destined for the Illaqa. The right enjoyed by the Illaqadar has been granted by the parent State and it is not open to any member to question that right under Section 7 Clause (*d*) of Regulation No: I of 1991. The rights of Chenani to levy such duties have been purchased by the parent State.

MAJOR MIRZA ATTA MOHAMMED KHAN: In this question a copy of the Patta has been requested to be supplied but the same has not been supplied.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The law does not allow this.

LALA RAM LAL VAKIL: The question is whether a duty is charged on the goods imported by the Poonch Illaqa from the State.

THE HON'BLE MR. K. N. KNOX (Revenue Minister): It is not known.

NOTE.—Lala Ram Lal Vakil read the question.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You say about the double duty.

LALA RAM LAL VAKIL: Is it a fact that a customs duty is charged on the boundary lines at Uri and Aliabad on the goods which is imported from the State in Poonch?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: The State do not charge.

PANDIT RAM CHAND KAK (Chief Secretary): No duty is charged for the exports of the Illaqa.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The State does not charge anything on export.

LALA RAM LAL VAKIL: Sir, the question is whether a customs duty is charged on the goods imported from the State ?

THE HON'BLE MR. K. N. KNOX: The full answer is given.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The question asked has already been replied, if there is another question that may be separately asked.

THE HON'BLE MR. K. N. KNOX: The question has been answered. If any member has got a complaint then I shall make an enquiry.

KHAWAJA GHULAM MOHAMMED SADIQ: Does the section 7 of Regulation No. I of 1991 stand in the way of our seeing the Patta ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You cannot discuss the Patta.

MIRZA MOHAMMED AFZAL BEG: May I know whether the question appears.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Please make a separate reference. You cannot put any question about Patta.

MIRZA MOHAMMED AFZAL BEG: Sir, the question was only for the supply of a copy of the Patta.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): How can you see the Patta ?

MIRZA MOHAMMED AFZAL BEG : If a copy of the Patta would have been supplied it would have been clear whether such conditions exist therein.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The Patta cannot be shown.

198. MAJOR MIRZA ATTA MOHAMMED KHAN: Will the Hon'ble Home Minister place on the table of the House the figures of the death of children in District Reasi as required in the question (Q. D. 694 of Srinagar Session 1936)?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The total number of deaths of children under 12 years of age in the Illaqa of Thana, Reasi and Gool during 1992-93 was 495. Figures for Thana, Rajouri and Dharmsal are not available.

MAJOR MIRZA ATTA MOHAMMED KHAN: Are any steps being taken to check the death of such children, or not?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: These are being taken.

199. MAJOR MIRZA ATTA MOHAMMED KHAN: (*Vide question No. 422 Q.D. No 704 dated 20th Assuj 1993 Srinagar Session*) (*a*) Does the Hon'ble Home Minister know that there is lorry traffic between Bhimber and Gujrat? Is there any rule limiting the seating capacity of lorries and is there any arrangement by the Government for the inspection of traffic? If not, why?

(*b*) If the answer to part (*a*) be in the affirmative, then will it please be stated why are not coolies engaged on monthly pay basis for the upkeep of the roads which lie within the territory of the State?

(*c*) If the answer to part (*b*) be in the affirmative, then will coolies be employed on monthly pay basis? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes. There is lorry traffic between Gujrat and Bhimber. Yes, lorries are passed for a fixed number of passengers under the Jammu and Kashmir Motor Vehicles Rules. Only about 4 miles of the above road fall in our State territory. On this section of the road the traffic is checked by the Bhimber Police and action is taken against the offenders under the Rules.

(*b*) A maintenance gang exists for this road.

(*c*) The maintenance coolies are engaged on daily pay basis as in the case of other such roads.

MAJOR MIRZA ATTA MOHAMMED KHAN: Will this answer be published in the Gazette?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: If there is such rule it will be done accordingly.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It is printed.

MAJOR MIRZA ATTA MOHAMMED KHAN: This must be printed. The Police do dot supervise it. According to rule it should be published in the Gazette.

200. SARDAR KANHAYA SINGH: The peons of the Depart-

ment are meagrely paid and this being the case the officers transfer them to far-off places as a result of which those poor are forced either to resign or try to get themselves transferred. Thus they do not perform official work wholeheartedly. Will the Government issue orders to stop such transfers of the low paid officials considering fine as sufficient punishment for them ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : Transfers of the kind referred to are, generally speaking, rare. They cannot be entirely prohibited.

201. SARDAR KANHAYA SINGH: Will the Hon'ble Revenue Minister please state as to what is the number of Clerks and Moharrirs on the Gazetted and non-Gazetted posts in the Departments of Revenue, Settlement, Forests, Games and Town Area Committee under his control and how many of them are Sikhs in every grade? If the deplorable deficiency of the Sikhs in Government services be proved then will the Hon'ble Minister please adopt measures to make up this deficiency in future ?

It may also be stated as to how many Sikhs are in the Revenue Secretariat ? If there be deficiency of Sikhs then will the Hon'ble Minister take practical steps to make good this deficiency in future and do justice to the Sikh community ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) :

	Total No. of Clerks and Moharrirs.	Sikhs.	Others.
Revenue Department ...	1,100	36	1,064
Settlement (Land Records) ...	24	1	23
Forest Department ...	131	3	128
Game Department ...	9	.....	9
Town Areas ...	8	1	7

(*b*) *1st part.*—2.

2nd part.—The claims of the Sikh community are considered when appointments are made.

SARDAR KANHAYA SIGNH: The departmental figures shown under the head of 'Sikhs' do not show gazetted and non-gazetted figures separately. Will it be done so ? My question was (reads the question).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.):(Addressing to the Hon'ble Revenue Minister): You will please supply this information latter on.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: His question is (reads the question in English).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): If you will ask such a question in the future you will get the answer.

THE HON'BLE MR K. N. KNOX: The Clerks and Moharrirs are not gazetted officers.

SHEIKH MOHAMMED AMIN: As the Sikhs, Harijans and Mohammedans all complain that they have got a very less representation in the Government service, will the Government please state whether which community has usurped others share.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This is a new question.

202. SARDAR KANHAYA SINGH: Will the Hon'ble Home Minister please state as to what is the number of officials on Gazetted and non-Gazetted posts in the Departments of Public Works, Electric, Education, Medical, Jails, Police, Telephones and Canals under his control and how many of them are Sikhs in every grade. If the Sikh representation is found to be deficient in every grade, will the Hon'ble Home Minister do justice by taking practical steps to make good the deficiency and thereby win the hearts of the Sikh community ?

It may also be stated as to what is the number of Sikh officials in the Home Secretariat, if the deplorable deficiency be proved then will the Hon'ble Home Minister please devise practical measures to make up this deficiency ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The information required by the Praja Sabha Sad is detailed below:—

Statement showing the No. of Gazetted and non-Gazetted posts in the Departments under the Home Portfolio and the Sikhs working on them.

Name of Department.	No. of Gazetted posts.	No. of Sikhs.	No. of non-Gazetted posts.	No. of Sikhs.
Medical (inclusive of Meteorological Department).	... 32	3	690	23
Jails Department	... .	...	329	43

Name of Department.	No. of Gazetted posts.	No. of Sikhs.	No. of non-Gazetted posts.	No. of Sikhs.
Public Works Department (inclusive of Electric, Irrigation & Telegraphs and Telephones) ...	24	1	760	41
Police ...	18	1	623	30
Education ...	77	2	2,623	93
Total ...	151	7	5,025	230

Statement showing the No. of Gazetted and non-Gazetted posts in the Home Secretariat and the Sikhs working on them.

No. of Gazetted posts.	No. of Sikhs.	No. of non-Gazetted posts.	No. of Sikhs
3	.....	28	2

The proportion of Sikh population (50,662) to the total population of the State (36,46,243) according to the figures of the last Census is 1·3 per cent. It would be seen that there is no difference in the representation of Sikhs in the various services in the Home Portfolio.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing Sardar Kanhaya Singh) You have got a copy of the statement and I do not think there is any necessity of reading out the statement as the same will waste five minutes.

SARDAR KANHAYA SINGH: Sir, may I know the names of Sikh Gazetted officers in the Home Department.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: It will be told later on.

SARDAR KANHAYA SINGH: Are the members of other communities also recruited in the Government service in the same proportion as that of Sikhs stated in the Medical, Jail, P. W. D., Telephone, Police and Education Departments.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This is a new question.

SARDAR KANHAYA SINGH: My question is whether the members of other communities are recruited in proportion to their population.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: If the question of population be taken then you have got many posts.

SARDAR KANHAYA SINGH: My question is whether the members of other communities are recruited in the same proportion.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You will not get answer to this question, you need not discuss it.

PANDIT LOK NATH SHARMA (State Councillor): The answers to questions are meant for the information of the Praja Sabha and not for the private information of any member therefore if five minutes are spent in reading it out, it does not matter.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): I have no objection. If you want it, it will be read. It does not matter.

203. SARDAR KANHAYA SINGH: Will the Hon'ble Finance Minister please state as to what is the number of officials in Gazetted and non-Gazetted posts in the Departments of Customs and Excise, Accountant General, Co-operative, Municipal, etc., under his control and how many of them are Sikhs in every grade. If the deplorable deficiency of the Sikh community in these departments be proved then will the Hon'ble Finance Minister please adopt practical measures at an early date to make up this deficiency so that the Sikh community may be satisfied and be justly treated? It may also be stated as to what is the number of Sikhs in the Finance Secretariat, if the deficiency of the Sikhs be proved then will the deficiency of the Sikhs be made good in future?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH (Finance Minister): The number of Gazetted and non-

Gazetted posts and the number of Sikhs therein is given below:—

Department.	Gazetted.	Non-Gazetted.	*Sikhs.* Gazetted.	Non-Gazetted
1. Customs and Excise ...	3	737	...	*33
2. Kashmir State Property in British India ...	1	11	...	...
3. General Treasuries ...	1	52	...	...
4. Visitors Bureau ...	2	8	...	...
5. Accounts, Audit and Saddar Treasuries ...	10	284	...	6
6. Income Tax ...	5	21	...	1
7. Co-operative ...	8	165	1 (Officiating)	14
8. Srinagar Municipality ...	3	84	...	2
9. Jammu ,, ...	2	59	...	3

Every reasonable attempt is being made to secure adequate representation of all communities in State service.

There is one Sikh in the Finance Secretariat and a Sikh was appointed in a temporary vacancy which arose last year.

SARDAR KANHAYA SINGH: Will such sympathetic consideration be given as appears from the deplorable condition of the figures stated by the Hon'ble Finance Minister?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: I regret to say that the question of appointments is not only regrettable but the deficiency in the Sikh population is much more regrettable. (Laughter)

SARDAR KANHAYA SINGH: Does this deplorable deficiency in population exist in Sikh community only?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: Yes.

*Excluding seasonal appointments.

SARDAR KANHAYA SINGH: May I know whether there is no regrettable deficiency in the population of Kashmiri Pandits?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: Their population is more than the double of your population.

PANDIT JIA LAL KILAM: Hear, hear.

204. SARDAR KANHAYA SINGH: Will the Hon'ble Judicial Minister please state as to what is the number of the officials on the Gazetted and non-Gazetted posts in the Judicial Department and how many of them are Sikhs in every grade? If the deficiency of the Sikh element be proved then will the Hon'ble Judicial Minister please adopt measures to satisfy the Sikhs in future so that the Sikh community be justly treated?

It may also be stated as to what is the number of Sikhs in the Judicial Secretariat? If there be deplorable deficiency then will it be made good?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): The following statement will give the required information:—

	No. of officials in the Department.	No. of Sikhs.
Gazetted	... 41	1
Non-Gazetted	... 294	7
Menials	... 288	26

The representation of Sikhs in the service of the Department is very fair in view of the population strength of the community in the State and therefore special measure is not necessary to obtain further representation of Sikhs.

Part II.—There is no Sikh employed in the Judicial Secretariat, which is a small office consisting of Secretary and 6 clerks.

SARDAR KANHAYA SINGH: My question is whenever there is a question of Sikhs it is said that their population is less. Is there no deficiency in the population of other communities?

SARDAR HARI SINGH: The Judicial Secretary has stated that the number of Sikh element is sufficient. Does it mean that the Sikh peons are sufficient?

SARDAR KANHAYA SINGH: Will it please be stated as to

how many there are Jamadars and how many peons out of the number stated?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It has been stated that in the Gazetted cadre there is a proportion of 3 per cent. of the Sikh element, in non-Gazetted cadre, there are 294 posts in all out of whom there are 7 Sikhs and the number of menials is 288 out of whom there are 26 Sikhs.

205. MIAN QURBAN AHMED: (*a*) Will the Hon'ble Finance Minister please state that Maulvi Mohammed Ibrahim, Income Tax Officer, has been sent back simply because the Income Tax Department could not afford to pay his salary?

(*b*) Is it also a fact that Maulvi was an Income Tax Expert and an experienced officer and his charge has been taken over by an inexperienced officer who cannot understand the Income Tax work?

(*c*) Is it also a fact that Maulvi Ibrahim used to get Rs. 500 as pay and that the same amount is drawn by the present Income Tax Officer besides his pay as allowance.

(*d*) Does the Hon'ble Finance Minister know that the number of Muslims amongst the Heads of Departments is already very low and that it has been further reduced by dispensing with the services of Maulvi Sahib?

(*e*) Will the Hon'ble Finance Minister please state the reasons for doing this.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: (*a*) No. He was relieved on the expiry of histerm of service.

(*b*) No. This is entirely incorrect.

(*c*) Yes. Maulvi Ibrahim was drawing Rs. 500 as pay but the present Income Tax Officer is not getting any allowance for Income Tax work.

(*d*) The number has not been reduced. There are now two Provincial Income Tax Officers of whom one is a Muslim.

(*e*) Does not arise.

MIRZA MOHAMMED AFZAL BEG: The reply to part (*b*) has been stated to be in the negative but the part (*b*) consists of two parts, is the answer to both the parts in the negative?

THE HON'BLE MR. K. N. KNOX: Yes, the answer to both the parts is in the negative.

MIRZA MOHAMMED AFZAL BEG: That is they were not experts even. (Laughter)

MIAN AHMED YAR: If they were not experts, why

so much money was spent for them.

NOTE.—No reply was given.

206. MIAN QURBAN AHMED : Will the Hon'ble Finance Minister please state :—

(*a*) What is the total number of the Senior and Junior Inspectors in the Income Tax Department ? How many of them are Muslims, how many non-Muslims ? How many Muslims and non-Muslim Inspectors are posted in every district and what are their powers ?

(*b*) Will the Hon'ble Finance Minister please state why the number of Muslims is very low in the Income Tax Department at present when it is a newly established department ? Kindly state reasons therefor ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH : When the Department was originally created there were two Senior Inspectors of whom one was a Hindu and another Christian but as a result of changes and reshufflings, of the two Senior Inspectors one is now a Muslim and the other Hindu.

Originally there were 7 Junior Inspectors of whom 3 were Muslims and 1 Sikh. In consequence of the latest revision of establishment there are 4 Junior Inspectors and 1 Senior Inspector in charge of Mufassil Circles and 3 Inspectors whose designation has been changed into Head clerk with enhanced status and salary, have been attached to Income Tax Officers and their Assistants, apart from 1 Senior Inspector. Out of the latter one only is a Hindu. For purposes of Income Tax collection the Provinces of Jammu and Kashmir are divided into Circles and only 1 Inspector is posted in each Circle. The assessment powers of Inspectors are upto Rs. 6,000.

(*b*) The number of Muslims in the Income Tax Department is not low. There are in all 26 posts in the Department of which 12 are held by Muslims, 12 by Hindus, 1 by Christian and 1 by a Sikh.

MIAN QURBAN AHMED : In my question I had asked for the districtwise information whether how many of them are Muslims and how many non-Muslims and what are they doing ?

THE HON'BLE MR. K. N. KNOX : Every district has got an Inspector.

207. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Home Minister state whether in the case State *Versus*

Nazir Ahmed etc. etc. the judgment whereof was announced by the High Court on 28th Sawan 1993, it was ordered that an inquiry should be made against Sh. Abdul Ghani, Inspector.

(*b*) Did the former Senior Superintendent Police who was secretly backing this case as prosecutor withhold the promotion of Sh. Abdul Ghani to the Inspectorship and promoted some junior man in his stead ?

(*c*) Did the Hon'ble Home Minister and Inspector General Police in compliance with the judgment send that case for an inquiry against Sh. Abdul Ghani ?

(*d*) Did the Senior Superintendent of Police in accordance with the orders of Hon'ble Home Minister and Inspector General Police withhold the inquiry ?

(*e* Will the Hon'ble Home Minister please state the reasons for with-holding the inquiry ? Why the inquiry has not been made so far ? What are the reasons therefor ?

(*f*) Will the Hon'ble Home Minister take any action for with-holding it ? Will he hold inquiry immediately ? If not, why not ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) No.

(*b*) Promotions to the rank of Inspector are made by the Inspector General of Police and not by the Senior Superintendent of Police.

(*c*) Yes.

(*d*) No.

(*e*) Does not arise. An enquiry was held

(*f*) Does not arise.

MIAN QURBAN AHMED : Can you state whether when the enquiry was made and who were the witnesses ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : No.

MIRZA MOHAMMED AFZAL BEG : That is a new question.

208. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister kindly state that in reply to my question (Q. D. No. 691) it was stated that Faiz Ahmed Wazifakhar was provided in a temporary arrangement of four weeks in Assuj 1992.

(*b*) Is it also a fact that on the 14th Har 1991 on the death of Thakur Das Patwari, Faiz Ahmed Wazifakhar was confirmed as Wazifakhar and he remained working for seven months? Had the Governor Jammu in his order dated 14th Har 1992 regarding his appointment as a Wazifakhar remarked that previously he has been working in temporary arrangement ?

(*c*) If the reply to the above question be in the

PRATAP COLLEGE LIBRARY, SRINAGAR.

affirmative, will the Hon'ble Revenue Minister kindly state that on what grounds Parshotam Singh was taken as senior to Faiz Ahmed and made a Wazifakhar before him ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) Faiz Ahmed was junior to Parshotam Singh because the former was a temporary Wazifakhar when the latter held a permanent appointment.

MIAN QURBAN AHMED : In reply to my last year's question I was told (interrupted).

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN Parshotam Singh was probably working on a permanent post while Faiz Ahmed on a temporary one.

MIAN QURBAN AHMED : In the reply supplied to me it was stated that both of them were temporary.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : (Addressing to Mian Qurban Ahmed) Parshotam Singh was a permanent man.

MIRZA MOHAMMED AFZAL BEG : Sir, he is referring to a question of the last session.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Do you mean that there is a contradiction in the answer given in the last session.

MIAN QURBAN AHMED : Yes, Sir.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : The matter is worth enquiry. It will be enquired from Jammu.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : He will make an enquiry and let you know.

MIAN QURBAN AHMED : Sir, a note may kindly be made that my this question will be replied.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : (Addressing to the Governor Kashmir) You have promised an enquiry, you can make the enquiry and send the reply to me which I will send on to the hon'ble member.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : Yes, Sir. I promise on behalf of the Hon'ble Revenue Minister.

209. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister kindly state whether the Government have taken any action on the hue and cry raised by zamindars against the damage done by the wild animals to their crops for which Government charges revenue ? If not, why?

(*b*) Are Government prepared to remove this trouble of the zamindars ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) No specific case has been quoted. However, if the question is to be considered as a general one then it may be mentioned for the information of the Praja Sabha Sad that licenses for the possession of fire-arms are issued to zamindars for protection of their crops against the inroads of wild animals.

(*b*) Does not arise.

210. CHAUDHRI ABDULLA KHAN: Is it a fact that the well situate in the village Chhunu, near Pakhi, Tehsil Jammu, which supplies drinking water to three villages is about to be washed away by the Nallah flowing close by? Will Government please protect this well by providing necessary funds from the grant sanctioned for water supply? If not, why not?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Government have no information. Funds for the protection of the well will be provided next year if necessary.

211. KHAWAJA SANAULLAH SHAH: Will the Hon'ble Revenue Minister please state whether a file has been completed after the proposal being made for taking out a distributory from Nallah Mawar at Naugam whereby the 22 villages of Khushki Illaqa of Gorigamnar can be irrigated and turned into Abi area? Will the Government please state whether there is any scheme under consideration to start this work? If there be any, then what is that?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Information is being collected and will be supplied later on.

212. KHAWAJA ALI MOHAMMED: (*a*) Is it a fact that only one Girls Primary School has been considered sufficient for 34,000 souls of Bandipur?

(*b*) Are not the people of the village requesting for the opening up of a Girls Middle School since a long time? If the answer be in the affirmative then

(*c*) Are Government prepared to open a Girls Middle School at Bandipur this year? If so, when?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) The femele population of Bandipur town is only 681.

(*b*) Requests are pouring in from all quarters and not from Bandipur only.

(*c*) There is already a Girls Primary School at Bandipur. The question of raising its status to Middle School will be placed before the Education Standing Committee.

213. KHAWAJA ALI MOHAMMED: (*a*) Are Goverument

aware of the fact that seven Kashmiri Pandits drowned in the Woolar Lake in 1991 and the same accident was repeated even after that ?

(*b*) For providing facilities in the means of communications, are Government prepared to construct pucca road from Sopore to Bandipur (20 miles) and from Bandipur to Srinagar (34 miles) so that the occurrence of such accidents may be prevented ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes, but they were not drowned for want of metalled roads ?

(*b*) There exist fair weather roads from Bandipur to Sopore and from Bandipur to Srinagar. These will be made pucca in due course when funds are forthcoming.

214. KHAWAJA ALI MOHAMMED: (*a*) Are Government aware of the fact that there is no Zenana Hospital for 34,000 souls of Bandipur ?

(*b*) Are not hundred of women dying annually premature deaths for want of a Zenana Hospital there ?

(*c*) Are not the people of the village requesting for the opening up of the Zenana Hospital since a long time?

(*d*) Are Government prepared to open a Zenana Hospital at Bandipur this year to win the heart of the people of Bandipur ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) There is no Zenana Hospital at Bandipur.

(*b*) The statement is not correct. Means of communication between Bandipur and Srinagar are easy.

(*c*) Such requests are received from all quarters.

(*d*) It is regretted that it is not possible to comply with the request, as it is difficult to get trained Doctors and Nurses. A beginning has been made in appointing trained Dais for different localities. This should meet the requirements of the Mufassil for the present.

215. KHAWAJA ALI MOHAMMED: (*a*) Is it a fact that Muslims who have passed Middle, Matriculation and Intermediate examinations are wandering from door to door in the Illaqa of Bandipur and they have not been given any chance of employment ?

(*b*) They are not even appointed on local vacancies and thereby the recommendations of the Glancy Commission are set aside. Will the Government please make satisfactory arraugements for them ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): The Government have no information on the subject.

216. KHAWAJA ALI MOHAMMED: (*a*) Is it a fact that

the Muslim Press is raising a hue and cry against the anti-Muslim policy of Captain Wreford, Director Shali Stor s ? If the answer be in the affirmative, then

(*b*) What action the Government has taken in this behalf ? If not, why not ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) His Highness' Government is aware of the Press attacks referred to but they are entirely unjustified.

(*b*) In view of the answer given to the first part of the question no action is called for.

KHAWAJA ALI MOHAMMED: Have these complaints been found false from the Director's report or from an enquiry ?

THE HON'BLE MR. K N KNOX : I know. The complaint is false.

217 SULTAN MOHAMMED FEROZ UD-DIN KHAN : Will the Hon'ble Revenue Minister kindly state whether the office of a Lambardar is hereditary ? If not, then what other principle is followed in appointing a Lambardar ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : *1st part.*—Yes.

2nd part. -Does not arise.

218 SULTAN MOHAMMED FEROZ-UD-DIN KHAN : Will the Hon'ble Revenue Minister kindly state what are the duties of Lambardars and Zaildars ?

Can its detail be placed on the table of the House ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The Sanads Zaildari and Lambardari, which enumerate the duties of Zaildars and Lambardars are placed on the table of the Praja Sabha.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): I wonder if any hon'ble member wants this whole thing to be read out.

A VOICE : No.

219. SULTAN MOHAMMED FEROZ-UD-DIN KHAN: Will the Hon'ble Finance Minister kindly state whether the shares of the Co-operative Bank purchased by the zamindars can be refunded ? If so, after how many years ? And if not, what is the reason for it ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH : It rests with Co-operative Societies to adopt bye-laws making their shares returnable or non-returnable. Most Societies in Jammu and Kashmir are amending their bye-laws and making their original shares returnable. Some Societies still adhere to the bye-laws of non-returnable shares. To make

shares returnable is not a compulsory provision for societies.

The shares made returnable are returned after 1st ten years.

MIRZA MOHAMMED AEZAL BEG: Are the shares of the Co-operative Bank refundable or the reply applies only to the Co-operative Societies ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: No, it is only the Societies' shares that are returnable.

MIRZA MOHAMMED AFZAL BEG: Is not under law a Central Bank considered a society ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: No.

220. SARDAR MAL SINGH: Is it a fact that 50 per cent. customs duty is charged on iron *Karas* (rings of iron) worn on the wrist and that they are included amongst articles of adornment although the iron *Kara* is a religious make of the Sikhs ? If it is a fact, will Government fix the rate of customs duty for iron *Karas* at low figure like Rs. 7 per cent. in future ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: The question of reducing duty on *Karas* imported by Sikhs for use as a religious symbol will be considered by the Advisory Committee on Customs.

221 SARDAR MAL SINGH: Does the Hon'ble Minister-in-charge know that for want of a building for the Chikar Middle School, the students are taking their lessons in the Guru Nanak Ashram and that several rooms of the Boarding House are for the reason occupied and the new students do not find any room in the Boarding House ? If the answer to this be in the affirmative, will Government construct a new school building ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes, when funds permit.

SARDAR MAL SINGH: When will this permission be granted.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: When the time will come.

222. SARDAR MAL SINGH: Is it a fact that the Manager Nanda Bus applied for permission being granted to them for opening a Store House close to Customs House at Domel so that the goods that are not passed by the Customs Department may be kept there and till it is passed it should be under the common custody of both the Customs Office and the Nanda Bus ? They have not been granted permission to do so, so far. What are the reasons therefar when they have been granted permission to open a Store House at Suchetgarh ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: Yes, they did apply, but as they have since been allowed the privilege of importing goods under Rawana Kham and of settling the duty on the same at Srinagar, the question of allowing them to construct a godown at Domel does not arise. However, there can be no objection to their establishing a private warehouse wherever they like.

223. SARDAR MAL SINGH: Do Government know that the Nanda Bus cars reach Srinagar from Lahore in one day and sometime on account of puncture etc. the cars reach the Customs Post at 7 or 7-30 in the evening and the cars are stopped for the reasons that travelling by night is prohibited under law although the road is hilly only for about thirty miles from Banihal to Lower Munda. As the luggage and servants of the visitors generally leave in advance in lorries, the visitors who are stopped at Banihal have to face great inconvenience in the absence of their luggage etc., and all their programme is upset. The newspapers also are stopped there for the night. What does the Government propose to remedy their inconvenience?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The Government does not consider that it is safe for motor vehicles to cross the Banihal Pass at night and is not prepared to relax the present rule.

224. SARDAR MAL SINGH: (*a*) Will Government please issue a night pass for the thirty miles *i. e.* between Banihal and Lower Munda as is done in British territory on the hilly road between Kohala and Rawalpindi?

(*b*) Do Government know that there is no Dak-Bungalow at Ramban, Khanabal and Baramulla? If the answer to this be in the affirmative, will Government construct Dak Bungalows at these three places and remove the hardship of the travellers.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) In special cases passes are issued by the Home Minister.

(*b*) In these days of fast motor traffic there seems to be no necessity of having Dak Bungalows at the places mentioned.

SARDAR MAL SINGH: I mean that if a lorry coming from Jammu requires a pass at Banihal in that case should the local officers be empowered to issue such passes?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The Home Minister can issue permits for night traffic.

SARDAR MAL SINGH: I submit that how they can approach the Hon'ble Home Minister to get such permits. The permits are required at Banihal hence the local officers

should be empowered with such powers.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Those who desire to travel at night can inform us beforehand.

SARDAR MAL SINGH: How it can be possible. Supposing that a lorry starting from Jammu fails in the route how can the previous information be supplied. Therefore it is necessary that as the Head Constable posted at Kohala issues such permits similarly the local officers should also be empowered to issue such permits at Banihal.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: A concession will be given if such a case is challaned. (Laughter)

225. Withdrawn.

226. Withdrawn.

227. LALA HANS RAJ: Are Government aware of the fact that the phenyl which is used in the Military Hospital and Jail at Jammu is manufactured at Amritsar and is being purchased at high price from a foreigner although orders have been received by all the departments to purchase phenyl from the registered factory at Jammu and the phenyl of the Jammu factory is much better than that of the Amritsar factory. It may please be stated as to why it is being done so ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: No. The phenyl manufactured by the Jammu firm was examined in the Chemical Laboratory at Jammu and was found to be most inferior.

228. LALA HANS RAJ: (*a*) Will the Gevernment please state—(*a*) How much damage has been caused to the agricultural land of the zamindars of Illaqa Hamirpur Sidhar, Tehsil Akhnoor by diluvion during the last two rainy seasons and at what amount is this damage estimated ?

(*b*) Has R. B. Lala Ganpat Rai, Engineer, sent any scheme to protect this Illaqa against the diluvion caused by the river Chenab ? What expenditure has been estimated by him ? Will the Government please state whether the preventive measures according to the above said scheme will be adopted before the advent of winter and according to the promise given the people will be saved from this damage?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Enquiry is being made from the Revenue Department.

(*b*) R. B. L. Ganpat Rai, Executive Engineer, Marala Head Works, has sent his scheme of protection works, the estimated cost of which comes to nearly Rs. 8,50,000. The case is under cansideration of the Government.

LALA HANS RAJ: It has been stated on behalf of the

Government that the estimated cost comes to Rs 8,50,000 and the case is under consideration of the Government. The scheme submitted by R. B. Lala Ganpat Rai has not been considered so far The matter is pending since last 25 years. The late Hon'ble Prime Minister was pleased to state that the Government will complete this work even by incurring debt.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt :). This is a discussion. You have got the reply to your question.

229. LALA HANS RAJ: Will the Government please state as to how many new posts of Hindi teachers were created this year in Jammu Province and how many candidates were such who had passed Shastri examination and whether any candidate who had passed Prajna and Visharada examinations was appointed ignoring one who had passed Shastri examination? What are the reasons for doing so? Will the injustice done to this Shastri passed candidate be redressed at an early date?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: In making appointments of Hindi teachers in Primary and Middle schools preference is given to such people, as far as possible, who can teach some other subjects also; because almost all middle schools and very many primary schools are understaffed and men of such qualifications as can help in the teaching work in the general time table are considered more suitable. All Shastris could not be absorbed for this very reason and also because in Lower Departments men of lower qualifications stick to their such jobs. In the Middle Schools there were 7 vacancies. 4 were filled up from within the Department and three outsiders were taken. All possessed proper quaiifications, Shastri, Visharada and Prajna.

As regards this Shastri for whose appointment the hon'ble member is anxious, his case will be favourably considered when filling the post of Sanskrit teacher, Government High School, Bhimber, if his qualifications are found higher than those of the other candidates

230. LALA LAJPAT RAI: (*a*) Will Government please state when ordinarily schools are started in villages with insignificant population, then why in village Bahu, Tehsil Jammu, where, in special, most of the population is of Harijans, no school has been started although there are about 250 houses besides the population of the neighbouring villages although the place has been inspected through the Tehsil authorities by orders of the Educational officers?

(*b*) Do Government also know that poor boys and girls of this village cannot go to Jammu city to attend schools on account of one way being blocked due to floods in the river Tawi in rainy season and the other way *via* Bridge Tawi being unsafe on account of the danger from wild animals known as "Chital"?

(*c*) Has any school been opened in village Palora which is quite near the city and where there is no such obstruction of river etc.?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) The question will be placed before the Education Standing Committee.

(*b*) Yes.

(*c*) This school was opened some 25 years back.

231. LALA LAJPAT RAI: (*a*) Do Government know that a private teacher is teaching about 30 girls and boys on an ordinary fee at Bahu fort in Tehsil Jammu? Is it a fact that he submitted an application to the late Hon'ble Home Minister on 27th April 1937 for grant-in-aid but no action was taken on it? What was the reason for it?

(*b*) Will Government in view of this demand pay salary to this teacher out of the Government treasury so long as a Government school has not been opened there?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) No application for grant-in-aid was submitted by the school under Grant-in-Aid Rules.

(*b*) This question does not arise.

LALA LAJPAT RAI: The application was submitted on the 27th April, through me and I have got a copy of the same.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Did he submit that application?

LALA LAJPAT RAI: It was submitted by the public through me.

232. LALA LAJPAT RAI: (*a*) Do the Government know that an application No. 254, dated 3rd Baisakh 1994, of Balya a low paid Police constable No. 723 for the grant of scholarship to his son Mangal Das Harijan, student of second Middle class, was submitted to the District Inspector of Schools, Jammu but so far no action has been taken on it?

(*b*) Will in view of the desire of this poor constable's son for acquiring education he be granted scholarship?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes, but the boy was not considered eligible for a scholarship, as he did not pass the annual examination.

(*b*) The Government will be prepared to help the boy provided that he is entitled to a scholarship under the rules.

233. COLONEL ABDUR REHMAN KHAN: In reply to my question the Hon'ble Revenue Minister was pleased to state last year that Sayad, Teli and Arain are not agriculturists in Udhampur District; that their application was under consideration and that he had called for report from the office and the matter would be decided very soon. What further action has been taken in it now?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The matter will be decided as soon as the connected files are completed in Wazarat Udhampur.

COLONEL ABDUR REHMAN KHAN: Has the Wazir Wazarat been ordered to complete the file atonce?

NOTE.—No reply was given.

234. COLONEL ABDUR REHMAN KHAN: For the last two years vaccinators have had less tours in Illaqa Udhampur whereby many village children have died. It has been learnt that travelling allowances of the vaccinators have been stopped since Jeth 1993. It is very troublesome for low paid officials to go on tours without travelling allowance. Will Government in sympathy with its subjects devise some better scheme whereby children of the poverty-stricken zamindars be safe?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: travelling allowance for vaccinators has not been stopped.

COLONEL ABDUR REHMAN KHAN: What are the reasons that no tour was made?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: That is not the question.

COLONEL ABDUR REHMAN KHAN: In reality my question means the same. The question of travelling allowance is an after thought. I am reading the question. (The member read the question)

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: All right. I shall enquire into it. If no tour has been made, it will be made.

235. COLONEL ABDUR REHMAN KHAN: (*a*) Has Government started Panchayat Department two years ago? How many Panchayats have so far been formed in Tehsil Udhampur?

(*b*) If the reply be in the negative, what are its reasons?

(*c*) In which Tehsils the work of rural reconstruction has been started? The people of which Illaqas have been

benefited thereby? What particular undesirable practices have they been made to give up and whether any appreciable improvement has taken place in their character?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes. None.

(*b*) The Panchayat Regulation has been applied recently in Udhampur District.

(*c*) The work so far is started in—

Mirpur,
Kotli,
Bhimber and
Ranbirsinghpura Tehsils of Jammu Province.

The villages in which Panchayats have been started are trying to make improvements in their customs, social life and agriculture. They have adopted scientific method of keeping manure in pits. More than 100 manure pits are reported to have been dug in such villages. Sanitary condition of these villages is also improved.

236. COLONEL ABDUR REHMAN KHAN: (*a*) Do Government know that Raja Sahib of Chenani has prohibited shooting throughout his Jagir and on account of which the crops of the zamindars are entirely eaten away by the wild animals and wild beasts also cause loss of human lives and valuable cattle?

(*b*) Where are the herds of tamed pigs which Raja Sahib of Chenani has reared being kept and what special arrangements have been made to keep them in control? Who is responsible for feeding them and what restrictions are there to shoot them?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Shooting is prohibited in the Rakhs reserved for games, as is done in the parent State. But the zamindars are allowed to shoot wild animals, when they damage their crops or cattle outside the reserved Rakhs.

(*b*) There are no tame pigs in Chenani now.

COLONEL ABDUR REHMAN KHAN: Will the Government please state as to why the firing in the Rakhs is prohibited when the wild animals destroy the crops of the zamindars?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: The firing is not prohibited but in the Rakhs.

COLONEL ABDUR REHMAN KHAN: Cannot those zamindars who live in the Rakhs fire when their crop is destroyed?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: None lives in the Rakh.

COLONEL ABDUR REHMAN KHAN: The people live in the

Rakhs they have cultivated chaks there.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing to the Hon'ble Revenue Minister) Is anybody living within the Rakhs?

THE HON'BLE MR K. N. KNOX : I suppose none, Sir.

COLONEL ABDUR REHMAN KHAN : He does not know, Sir.

237. COLONEL ABDUR REHMAN KHAN : (*a*) Will Government please state under what rules Kahcharai fee is being realized in those places where there are no grazing areas ?

(*b*) When seven tehsils of the frontier where there are sufficient number of Government grazing grounds are exempt from Kahcharai fee, then what is the reason for charging Kahcharai fee, in those places where there are no grazing areas and people keep their cattle within the four walls of their houses or graze them in the lands for which they pay revenue to the Government ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Grazing tax is levied on the graziers of those Illaqas, who enjoy grazing facilities.

(*b*) The Praja Sabha Sad has not specified any particular Illaqa, which he thinks, is assessed to grazing tax in spite of its having no grazing facilities. If any specific case is quoted, the same can be examined on merits.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : Graziers and the zamindars are one and the same.

COLONEL ABDUR REHMAN KHAN : A permanent grazing tax is charged from the zamindars and a fluctuating one from the Bakarwals. My question is why the grazing tax is charged from those zamindars who have no pastures.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : If any particular area is mentioned it will be considered.

MIAN AHMED YAR : In the Settlement Report where there no pastures have been shown have the grazing taxes of those places been remitted ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : If there be no pasture in any village, it must be in the adjacent village.

MIAN AHMED YAR : I wish to know that will the Government not take into consideration and remit the grazing tax of such villages where there no pastures have been shown by in the Settlement Report.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): That is a theoretical question.

MIRZA MOHAMMED AFZAL BEG : Will the Hon'ble Revenue Minister tell me if in principle, and as a matter of

fact in such parts where there is absence of grazing facilities, and in the absence of such facilities the zamindars take their cattle to other grazing pastures, is the levying of grazing fee justifiable? Is the fee for such villages still charged ?

THE HON'BLE MR. K. N. KNOX: This is a general question, and it is difficult to answer it off hand. Every case will have to be considered on its merits. If I find that Kabcharai fee is levied in those villages where there are no grazing areas, I shall be prepared to consider the question of amending the Regulation.

238. KHAWAJA GHULAM MOHY-UD-DIN KHAN : (*a*) Will Government please state the names of the contractors in whose favour is the contract of repairing the bridge and road from village Achhgam to village Khan Sahib has been granted; for what amount has the contract been granted and for how many miles ?

(*b*) Has this contract been granted by the Revenue Department or through the Public Works Department ?

(*c*) Is this road being constructed for the wheeled traffic or only for travelling on foot ? If it is being constructed for travelling on foot, could this work not be done through the zamindars by spending a smaller amount which would have benefited the Government, and in these days of economic depression afforded some help to the zamindars ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) H. Mohammed Ramzan and Shamsher Singh contractors have been given the repairs work of the road and bridges from Ichhgam to Khan Sahib, extending over 9 miles, for Rs. 1,960 and Rs 1,600 respectively.

(*b*) By the Revenue Department.

(*c*) It is a briddle path The work involving technical skill (construction of bridges and culverts) cannot be done by zamindars. The contractors engage labour locally which benefits the zamindars directly.

239. KHAWAJA GHULAM MOHY UD-DIN KHAN : (*a*) Will the Government please state as to whether the contractors of the village roads on constructing a new bridge, have a right to take possession of the old timber ? Is the old timber of the bridges granted to the contractors ?

(*b*) If the reply be in the affirmative, why is the old timber of those bridges which are constructed by the zamindars at their own expenses and with their own timber, granted to the contractors free of charge ?

(*c*) If the reply be in the negative, will it be stated as to

why do the contractors generally take possession of this timber and why on constructing a new bridge the old timber is not made over to the zamindars ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) No.

(*b*) Does not arise.

(*c*) Old timber is either refitted if serviceable or auctioned and the sale proceeds credited into the Government Treasury. Sometimes, the cost of old wood is deducted from the estimates.

240. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Will the Government please state the number of villagers of Kashmir Valley who were taken in Government service during the last two years? How many of them were educated and how many un-educated?

(*b*) How many educated villagers of Tehsil Badgam were taken in the Education Department and how many in the other departments?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): It is not possible to give the number of villagers employed in Government service during the period referred to or to say how many villagers of the Badgam Tehsil were taken in the Education Department or any other Departments of the State as the Government do not maintain any such record nor is selection for appointments made according to Tehsils or Districts.

KHAWAJA GHULAM MOHY-UD-DIN KHAN: Have any literate villager of Tehsil Badgam been taken in the service?

RAI SAHIB PANDIT RAM CHAND KAK: We have not got such record with us.

MIRZA MOHAMMED AFZAL BEG: The question is clearly given in part (*b*).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The reply is complete.

241. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Will the Hon'ble Revenue Minister please state reasons for not granting forest concessions to the inhabitants of village Arigam, Tehsil Badgam when the said village is situate at a distance of only one mile from the Lalanar forest?

(*b*) Is it a fact that the inhabitants of the villages living within a distance of three miles from the forests are entitled to the forest concessions? If the reply to part (*b*) be in the affirmative, what are the reasons for depriving the inhabitants of village Arigam of the forest concessions?

(*c*) Is not the village Khan Sahib, Tehsil Badgam situate within two miles from the Markoora forest? If the

reply be in the affirmative, what are the reasons for not granting forest concessions to the inhabitants of village Khan Sahib?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) and (*b*) There is no demarcated forest of the name of Lalanar in Kashmir Circle. If the Praja Sabha Sad means Shalanar Forest, he will please refer to reply given to question No. 524 of March-April 1937 Session.

(*c*) There is no Markoora demarcated forest in the Kashmir Circle. The latter part of the question does not, therefore, arise.

Q. D. No. 524 of March-April 1937 Session put by Khawaja Ghulam Mohy ud-Din.—(*a*) Will the Hon'ble Revenue Minister please state what principle has been adopted by the Forest Department in the matter of concessions and privileges granted by them to the inhabitants of villages situated adjacent to the Forest in respect of taking firewood and wood for agricultural implements either free or at concession rates? Villages within what distance from the forest line can be benefited by such concessions?

(*b*) At what distance is Shalanar village of Pratap Singh Pura Tehsil situated from Arigam village and what are the reasons for the inhabitants of Arigam, Narigund, and Kichrajahgir villages not being entitled to such rights when the Shalanar forest is not more than 1½ miles distant from these villages?

Reply to Q. D. No. 524.—(*a*) These concessions and privileges are granted under Kashmir Forest Notice Sections 10, 11 and 13. Under Kashmir Notice these concessions are granted to villages whose boundaries fall within 3 miles of the demarcated forests, provided the concessions and privileges of such villages have been recognized and recorded in the demarcation files by the Settlement Department at the time of demarcation of these forests.

(*b*) Shalanar village of the Sri Pratap Singh Pura Tehsil is situated at a distance of about 1½ miles from Arigam village.

The inhabitants of Arigam, Narigund and Kichrajahgir villages are not entitled to such concessions from the Shalanar Forest, because at the time of demarcation of Shalanar Forest these villages did not put forth any Uzardari for these concessions before the Settlement Officer like other villages, nor did they prefer any appeal against the judgment of inspecting officers as other villages do, if such concessions are not recorded in their favour.

KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Are Government aware that the people of Bandipur have for a long time been raising a hue and cry against the unconstitutional formation of the present Panchayat Committee of Bandipur ?

(*b*) If the answer to the above be in the affirmative, it may be stated as to what has been the result of their complaints and what action have the Government taken on it ? If no consideration was paid to their hue and cry the reasons for it may be stated ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes. But the formation of the Panchayat of Bandipur was constitutional.

(*b*) Does not arise.

243. PEER HISSAM-UD-DIN SHAH: (*a*) Is it a fact that Shri Raja Sahib Bahadur, considering the local conditions of Poonch, accepted some of the demands that were based more or less on the recommendations of the Glancy Commission and were made by the All Parties Conference held in 1989 ?

(*b*) If the answer to part (*a*) be in the affirmative, then will Poonch Administration please state what changes have been made in the accepted demands as this is proving harmful to the people ?

WAZIR FEROZ CHAND: (*a*) Yes.

(*b*) If the Praja Sabha Sad knows of any change in the accepted demands, he can point out to the Administration.

PEER HISSAM-UD-DIN SHAH: Will the Government please state whether Shri Raja Sahib Bahadur of Poonch while accepting the demands of the All Parties Conference held in 1980 ordered that the grant of the trees irrespective of their width or number for the constructional purposes is sanctioned and also that wherever there are no jungles the trees will be obtained from the jungles of the adjacent villages. If so, why the above order is not being complied with. In absence of the compliance of the above order the Poonch subjects is undergoing a great loss.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You repeat your question. Do not read it. Which part of the question has not been replied.

NOTE.—Peer Hissam-ud-Din Shah read the question.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Your question has been completely replied.

NOTE.—PEER-HISSAM-UD-DIN: Will the transfers made be brought into the notice of the Government.

A VOICE: Send them in writing to the Government.

244. PEER HISSAM-UD-DIN SHAH: During the last session of the Praja Sabha it was asked in Q. D. No. 643 if the Poonch Administration was prepared to appoint an

impartial Commission for preparing a list of agriculturist classes in reply to which it was stated that there is no need for appointing such a Commission and that many classes have submitted applications for being included in the list of agriculturist classes to which it was said, "action will be taken '. It may please be stated if any action has been taken on any of these applications so far and the rights of any such unfortunate class been granted or is this matter also under consideration.

WAZIR FEROZ CHAND : The class "Pukhta" of Kashmiri Muslims has since been included in the list. The cases of other applicants are under consideration.

PEER HISSAM-UD-DIN SHAH : How long more will the cases of other petitioners remain pending ?

WAZIR FEROZ CHAND : An immediate effort is being made. No time can be fixed so soon.

245. PEER HISSAM UD-DIN SHAH : (*a*) Regarding the employment of Sardar Noor Ahmad Khan, B. A., LL. B., during the last session of the Praja Sabha in reply to a question Q. D. No. 650 it was stated that on the occurrence of a vacancy the question of his appointment will be considered. Will the Poonch Administration please state what action has been taken so far and when at the earliest should Sardar Noor Ahmad Khan hope to get the appointment or in this matter also some further consideration is necesssry ?

WAZIR FEROZ CHAND : No vacancy has so far occurred to which S. Noor Ahmad Khan could be appointed. When such a vacancy occurs, the matter will be duly considered.

246. PEER HISSAM-UD-DIN SHAH : Is Poonch Administration prepared to borrow the services of some expert from the Government of India who should tour the Illaqa, test the agricultural land and introduce new methods of agriculture ?

WAZIR FEROZ CHAND : If the services of an expert are needed, the same will be borrowed from His Highness' Government.

PEER HISSAM-UD-DIN SHAH: Are the services of an Agriculturist Expert not required for Poonch ?

WAZIR FEROZ CHAND: Not necessary at this time. They will be obtained when necessary.

PEER HISSAM-UD-DIN SHAH : Has His Highness the Maharaja Bahadur's Government not obtained the services of an Agriculturist Expert from the British India ?

WAZIR FEROZ CHAND : They obtain when required. They have got their own arrangements at this time.

LALA RAM LAL VAKIL : Will the services of an Expert be

obtained ?

WAZIR FEROZ CHAND: We do not require at present.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: You refer to State-subject question in your every question. (Laughter)

247. PEER HISSAM-UD-DIN SHAH: During the last session of the Praja Sabha in reply to Q. D. No. 660 regarding the formation of Panchayat Committees it was stated that L. Durga Dass, B. A., Assistant Registrar has been sent for Panchayat training and that on his return the work of Panchayats etc. will be taken in hand. Will Government please state when did L. Durga Dass, B. A., return after completing his training and how many Panchayat Committees have been formed till now ?

WAZIR FEROZ CHAND: Lala Durga Dass, B. A., returned after completion of his training in Panchayat work at the end of Chet 1993. 17 Panchayat Committees have been formed till now

248. LALA SHIV NATH NANDA: Is it a fact that 95 per cent. of the population of the Illaqa of Udhampur is suffering from syphlis for whose sake our Government has appointed itinerant doctors who are directed to treat the poor people free of any charge? If the answer be in the affirmative, then will the Hon'ble Home Minister please state as to why those doctors receive Rs. 2-8-0 per injection from these poor patients ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN No.

249. LALA SHIV NATH NANDA: Is it a fact that I stated in the last sessions of the Praja Sabha that those ditches which are within the limits of the Srinagar Municipality cause much stench on account of the rain water being collected therein? Therefore it is necessary that either these ditches be filled in by the Nazool Department or may be transferred to the Municipality so that it may arrange for filling them up? If the answer be in the affirmative, then will the Government please state why these ditches have not so far been made over to the Municipality and the Nazool Department has not made any arrangement to fill them up inspite of the fact that in reply to my question it was stated that the Revenue Department was making arrangement in this behalf and these would be filled ? (*Vide reply to Q. D. No. 467 of Hon'ble Revenue Minister*)

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On bahalf of the Hon'ble Revenue Minister): *1st part.*—Yes.

2nd part.—The Nazool Department is already disposing off these ditches by sale on the condition that the

purchasers shall fill them up within a period of 2 years, so that their insanitary condition may be removed within the specified time.

LALA SHIV NATH NANDA: Have all these ditches been disposed off and will the name of any purchaser be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: I cannot say from my memory. These are being disposed off.

250. LALA SHIV NATH NANDA: Is it a fact that hundreds of men and women go to take bath on the Jammu Canal and besides this a large number of people come from Sialkot for the purpose of bathing?

Is it a fact that there is no such arrangement by the side of the canal for the people whereby, during the scorching heat of the sun or in rain, they may take shelter for some hours under any shed? If the answer be in the affirmative, then will the Government please state whether it intends to build any shed on the canal for the sake of these people? If the answer be in the negative, then will the Government please allow any State-subject to build the shed by the side of the canal at his own expenses to remove this difficulty of the public?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: *Part 1st.*—Yes.

Part 2.—Construction of sheds is not desirable, as it will take away from the beauty of the place. The Irrigation Department has planted trees and the Municipality will shortly have a Park on the strip of land, which lies between the main Ranbir Canal and Distributary No. 9 at Nawabad, Jammu. These steps should remove the inconvenience of the visitors.

251. LALA SHIV NATH NA DA: Is it a fact that inhabitants of Amirakadal-Srinagar complain of there being no lady doctor to attend to female patients in the State Hospital? If the answer be in the affirmative, then will the Hon'ble Home Minister please redress this grievance of the public of Amirakadal? If not, the reasons therefor be stated?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes. The question is already receiving the consideration of the Government.

252. LALA SHIV NATH NANDA: Is it a fact that the public of Jammu has repeatedly been complaining for the last three years that the arrangement to receive payments of water-tax should be made at Durbargarh? If the answer be in the affirmative, will the Hon'ble Home Minister please state why so trivial a matter is being

put of ? Will this complaint be removed at an early date ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: During the last 3 years no complaints were received of the existing arrangements for payment of water-tax. In this connection attention is invited to the reply given to Q D. No. 284 of Sh. Mohammed Amin of last Srinagar Session.

LALA SHIV NATH NANDA: Are the complaints made in the Praja Sabha not considered valid ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Did you make a complaint even previously ?

LALA SHIV NATH NANDA: Sir, I had complained even previously.

THE HONB'LE SAHIBZADA SIR ABDUS SAMAD KHAN: Whatever you have stated, it will be considered and the reply will be given after satisfying you.

LALA SHIV NATH NANDA: My submission is that I and Sh. Mohammed Amin have repeatedly complained for the necessity of establishment of water-tax recovery office at Darbargarh.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt): Is it correct ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes, Sir.

LEGISLATIVE BUSINESS

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Now we have the Non-official Bills.

Pandit Ram Chandra Dobey will move for leave to introduce the Public Service Commission Bill standing at item No. I

NOTE.—The bill is as follows.

BILL NO. I.

Preamble.—Whereas it is expedient to regularize the services in the Jammu and Kashmir State by a Regulation, it is hereby enacted as follows :—

1. *Short title and extent* —This Regulation may be called the Jammu and Kashmir Public Service Commission Regulation of 1994. It shall regulate all the gazetted posts and non-gazetted appointments carrying the pay of rupees fifty and above; but nothing contained in it shall be deemed to bar the full and unqualified exercise of His Highness the Maharaja Bahadur's pleasure in accepting any candidate for

any post in the State and to interfere with the appointments of the Ministers.

2. This Regulation shall come into force from the date it receives the assent of His Highness the Maharaja Bahadur.

3. In this Regulation unless there is anything repugnant in the subject or context.—

(*a*) The "Government" shall mean the Jammu and Kashmir Government.

(*b*) The "Public Service Commission" shall mean the Commission constituted on the lines proposed in this Regulation.

4. The Commission shall consist of :—

Three officials, one councillor, one nominated member to be selected by the Government and six elected members. The President of the Commission will be appointed by His Highness the Maharaja Bahadur. The Commission shall work during the life-time of the Praja Sabha.

5. During the Budget session of the Praja Sabha each year the Government shall announce the number of vacancies in each department and the Commission shall make requisite arrangement for conducting the Competitive Enaminations during the year.

6. The Government shall reserve to itself certain proportion of the vacancies to be filled up from amongst the qualified candidates, who appeared in the examination for adjusting the communal inequalities in the services.

7. All the intending candidates for various examinations will be medically examined by a Medical Board to be appointed by the Commission before they are taken in the examinations.

8. There will be a regular pannel of examiners to be appointed by the Commission from outside in order to secure fairness and justice in marking and there shall be adequate entrance fee for all the Competitive Examinations.

9 The Commission will interview all such candidates before their appointment and affixed number of marks will be reserved for their interview.

10. The syllabus of the Competitive Examinations for various services shall be prescribed in the rules under the Regulation to be prepared by the Government.

11. All recruitments to the Gazetted posts shall receive the final assent of His Highness the Maharaja Bahadur.

OBJECTS AND REASONS.

There is a general cry in the public that at the time of recruitment in various departments of the State influence is the chief thing which counts in securing the various jobs. Thus the poor people who have got no influence generally suffer the most. The Public Service Commission is thus badly needed and hence it is necessary to regularize the service by the Regulation.

PANDIT RAM CHANDRA DOBEY: (Written speech) Hon'ble President.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Is it in accordance with rule 49?

PANDIT RAM CHANDRA DOBEY: Yes, Sir.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You can proceed.

MIRZA M. A. BEG: If any bill is to be opposed, may I hope that the Hon'ble President will in that case restrict that speech under rule 51 of the Rules of Business and Procedure. This will be in the interest of a fairly large legislative business that the House has to transact today.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Before he proceeds further, may I know, if any body wants to oppose this bill?

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGAR: Sir, I shall oppose.

PANDIT RAM CHANDRA DOBEY: (Written speech) Mr. President. Under rule 49 of Regulation No. I of 1991, I beg leave to introduce my bill in the House. Since in the last session the same bill was opposed by the Government therefore if, under rule 51, the Hon'ble President permits me, I shall place my brief introductory statement before the House.

This fact is not unknown to the members of this House that the poor people, in order to earn their livelihood, have to face grave difficulties and as the members of this class are becoming educated they are trying their best to secure Government services and there is no doubt that payment of high salaries is making their mouths water and therefore there is great struggle going on for the same. The poor classes have no confidence in the practice followed at present in the recruitment of services, and accordingly the representatives of the public have constantly been inviting the attention of the Government to remove these defects. The present unsatisfactory method of recruitment in the services is weakening the machinery of the Government because of the fact

that the material used for running the Government machinery is defective. In other civilized countries the competitive examinations have at present been held to be the best solution for making recruitment to public services. If our Government also accepts this principle it will not be difficult to make suitable arrangements by giving consideration to every clause of this bill, and it is possible to positively solve all those difficulties in this connection which in the last session were put forward by the Government But the present method adopted by the Government, in recruitment of services undoubtedly requires amendment, and it should be taken into consideration very soon, because every day it is causing great unrest among the educated young men of the poor classes.

Sir, my submission is that in the last session Wazir Ganga Ram moved a resolution to this effect. It was as follows:—

"This Praja Sabha recommends to the Council that a Public Service Commission, to keep up the standard of efficiency, be immediately established in the State, and a bill regarding it be drawn up and introduced in the House by the Government."

But, since a bill on the subject was about to be introduced, the resolution was withdrawn. That bill was opposed by the Government and the leader of the Conference Group did not oppose it on principle, but, since the Government opposed, it could not succeed. Many questions are being asked and resolutions being moved in this behalf, therefore I submit that leave to introduce this bill may be granted

DEWAN BAHADUR N. GOPALASWAMI AYYANGAR, C. S. I., C. I. E.: Sir, I propose to be very brief in replying to the hon'ble mover of this motion for the appointment of a Public Service Commission. So far as I have been able to see the only reasons he has put forward are that people at present are dissatisfied with the methods followed in the selection of persons for appointment in the public services. He fears that the present methods if continued, would lead to the deterioration and inefficiency of the administration of the State. He has also cited the example of those countries where Public Service Commissions have been established for purposes of helping people to enter public offices. Though I oppose this motion I do not wish the House to understand that in principle I am or the Government are opposed to the establishment of a Public Service Commission. That is not our view point at all; what we do contend is that in the present conditions of the State and under present circumstan-

ces the establishment of a Public Service Commission is unnecessary. The methods that are now followed for recruitment to the public services, though they may be susceptible of improvement in several respects, are under active examination at the present moment. And if the methods are improved as I hope they will be, the present procedure for recruitment I think would become acceptable to hon'ble members like Pandit Ram Chandra Dobey.

Well: Public Service Commissions have been established in countries, where as I pointed out in the speech which I made on a similar motion during the last Jammu Session of the Praja Sabha, the executive is a changing one that is to say, where it is drawn from particular political parties according to the votes they may command in the legislatures. These commissions are supposed to be above all parties. In such States it is necessary that you should have a body which will advise on the question of recruitment and will not be swayed by political influences and which would not be responsible to the legislature but to some body above it. Though it is not permissible on a motion of this sort to enter into the details of the provisions of the bill which is proposed to be introduced, it is necessary that at least the salient features of the proposal should be kept in view by the hon'ble members before they decide to vote for or against the motion. I wish only to point out that in British India under the Government of India Act the members of the Public Service Commission are to be appointed in various provinces by the Governor acting in his discretion. I take it that hon'ble members understand what that particular expression means. The whole idea of insisting on appointment of members of Public Service Commission by the Government is that they should not be susceptible to party or political influences.

MR. G. M. SADIQ: That is to safeguard the imperial interests in British India.

THE HON'BLE PRIME MINISTER: That is not a true reading of the Government of India Act. Further the members of a Public Service Commission should be of the same status as for instance the Judges of High Court of Judicature. You will be sounding the death knell of the independence of High Court of Judicature if it is held responsible to question in the Legislature. I think the members of the Public Service Commission should be appointed more or less in the same way and on the same lines. That is one point. The second proposal is that some members of this commission should be elected by the members of this House. A most

objectionable one on the face of it. Well : there is another point. Even for an all India Public Service Commission the number of Commissioners is 5 and in very large Province like the Madras the number of Commissioners is only 3. But in the bill you want 11 members to be appointed on the Commission. You want again that during the budget session of this Sabha the Government should place before you the number of vacancies that are likely to be filled up and in particular you want the Legislature to have a voice in the selection of the Commissioners as well. Well: there is another point for you to realise. You imagine that by setting up this Commission you are transferring the power of appointment from the people who make those appointments at the present moment to another body altogether. You are very much mistaken. I don't think in the whole world there is any Public Service Commission which makes appointments. The functions of the Public Service Commission are entirely advisory. They cannot appoint people. They can only prepare lists of eligible people from whom the appointing authority has to make a choice. Where that appointing authority is subject to political influences it is desirable that you should have a body which could be expected to be independent as to the claims of the people who are fit to be appointed. Then you should establish a convention that whenever an advice is given by Public Service Commission the appointing authority should ordinarily be found to follow that advice. But when we have got an executive such as we have at the present moment in the State the need for such a Commission is not so urgent as it will be if and when you are able to get what is usually and properly termed responsible Government. If and when you get it I would say you must have a Public Service Commission. But at the present moment it is not necessary because the executive at present is not subject to party and political influences and you may trust it to exercise the power of appointment. You have in the present executive the same impartiality and independence of local and political influences that you look for in the Public Service Commission. And you are not to forget the question of cost. Well : if you want a Public Service Commission you want people who are atleast as highly paid as our Judges of the High Court if not better. Unless you draw the personnel of the Public Service Commission from men of that standard it would not command the same confidence as you expect it should cammand and for these very obvious reasons I would ask the House to refuse introduction of this bill.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Pandit Ram Chandra Dobey wants to withdraw his bill for which the permission of the House is required.

Those members who are in favour of his withdrawing the bill may raise their hands. (Hands raised)

Those who want that leave to withdraw should not be given may raise their hands. (Hands raised)

The majority of the members are in favour of permission being given to withdraw the bill, therefore permiseion to withdraw the bill is granted.

No. 2.—WORKMENS' COMPENSATION BILL.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Sheikh Mohammed Amin will move for leave to introduce the Workmens' Compensation Bill.

Note.—Leave to introduce the following bill was sought.

JAMMU AND KASHMIR WORKMENS' COMPENSATION BILL 1994

Whereas it is expedient to provide for due compensation for the accidents and disabilities of workmen, it is hereby enacted as follows:—

Preliminary short title, extent and commencement.—This Regulation shall be called "The Jammu and Kashmir Workmen's Compensation Regulation of Samvat 1994."

2. This Regulation shall extend to the whole State of Jammu and Kashmir.

3. It shall come into force on such date as His Highness the Maharaja Bahadur may fix in Notification in the Government Gazettee.

4. *Definition.*—In this Regulation unless there is anything contrary in the subject or context:—

1. *Workman.*—Means and includes skilled or unskilled labourer.

2. *Company.*—Means and includes all concerns registered under the Jammu and Kashmir Companies Regulation.

3. *Industry.*—Means and includes all industrial undertakings, commercial concerns whether run by private individuals or State Government Departments.

5. *Liabilities for compensation.*—All industries, concerns or departments that employ regular or work-charge labourers are liable to pay compensation for any fatal or disabling accidents that are caused during the course of work to any workman.

6. *Extent of compensation.*—Extent of compensation will be fixed on the merit of each case by the Director of Industries.

7. *Appeal.*—Appeal against the orders of the Director of Industries will lie to the Minister-in-charge, whose orders will be final.

8. *Realization of compensation.*—All the assets of a company, concerns etc., will be liable to attachment for recovery of the compensation assets.

9. *Rules.*—The rules for carrying out the object of this Regulation are attached herewith.

OBJECTS AND REASONS.

(1) There is no law in the State for compensating labourers and workmen who are killed or disabled during the course of work.

Some Departments allow small compensation in rare cases. But the procedure is very lengthy and faulty and is not based on any principle or set of rules.

It is necessary to safeguard the interest of the poor class of workmen and labourers in the State.

There is such a law already in force in British India and Hyderabad State.

The labour-office of the League of Nations has stressed the necessity of such laws in all countries that are members of the League.

The Industry in the State is growing and developing. It is therefore essential that such safeguard should be provided by legislation.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Before you proceed, I would like to know if anybody would oppose it. Evidently there is no opposition. You can go on.

SHEIKH MOHAMMED AMIN: Sir, when my bill is not being opposed.

MIRZA M. A. BEG: Sir, I would like to know the Government's attitude with regard to this bill.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The practice, I understand, is that under rule 51, "if a motion for leave to introduce a bill is opposed, the President after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may put the question without further debate."

So when a motion is made for the introduction of a

bill, it is the practice to find out whether it is to be opposed or not. And if there is opposition the member moving the motion will have to make a short speech—a brief explanatory statement—otherwise he can go on longer. It is therefore necessary to know, according to the practice, whether any hon'ble member is going to oppose the bill or not.

THE HON'BLE MR. K. N. KNOX: Sir, we are prepared to accept the general principle of the bill, but would like to find out first whether all the provisions of this bill are practicable or not ; and then either some hon'ble member or the Government will bring in a new bill.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing the Hon'ble Mr. K. N. Knox, Revenue Minister) So you are opposing the present bill ?

THE HON'BLE MR. K. N. KNOX: Yes, Sir.

MIRZA M. A. BEG : (To the Hon'ble Revenue Minister) Even in principle ?

THE HON'BLE MR. K. N. KNOX: Not in principle.

SHEIKH MOHAMMED AMIN: Sir, the bill which I am introducing, was introduced in the last session also. It was accepted by the Government and entrusted to a Select Committee. Therefore I move that leave to introduce this bill may be granted and it may be entrusted to a Select Committee.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): What became of it then ?

MR. M. A. BEG: We resigned Sir, and the bill lapsed.

SHEIKH MOHAMMED AMIN: There is no doubt that number of amendments are required to be made in this bill and this will be better done by the Select Committee. This bill of mine is a very important one. My submission is that this bill has been enforced in British India, Mysore, Hyderabad and many other native States. Since I have not introduced all those laws along with this bill, therefore the real purpose of this bill could not be understood The enforcement of this law is necessary for the interests of the poor people, in so far as those poor people who are working in the Factories and who die or become unfit for work during the time of their employment, are not being cared for at present. Accidents generally take place, but no compensation is paid by the Government. The Public Works Department pays the compensation, but that is very insignificant, and that too after a very long time. There are in the State many such Departments like Electrical Department, Sericulture Department etc. where labourers and artisans are working ; and besides these there are many other new industries about to

be started. In these industrial concerns many accidents take place but no arrangements for safeguarding the interests of the poor labourers and artisans have been made. These people die in poverty and after their death there is no source of maintenance for their survivors. Therefore it is the first and foremost duty of the Praja Sabha to take into consideration the miserable plight of the poor workers and take effective and useful steps for improving their lot and find out some measures to safeguard the interests of the people who are working in the factories, in case some accident takes place. If you study the administration of the Mysore Government you will find that such laws have been made for all the Departments separately. I hope the Hon'ble Revenue Minister will change his view point, and the Praja Sabha will grant permission for the introduction of this bill, and then I shall suggest the names of the members of the Select Committee.

THE HON'BLE MR K. N. KNOX: Regarding the Workmen's Compensation Bill I want to say on behalf of the Government, that if a labourer or an artisan dies or becomes unfit during the time when he is working then it is most desirable to grant him compensation. So far as the Government Departments are concerned in my opinion and in the opinion of the Government there is no difference between the hon'ble mover and ourselves. But if this bill is entrusted to the Select Committee in the form in which it is being introduced it will not serve any useful purpose. The difficulty is that in the State there are very small factories where the number of labourers is generally between 5 to 10. It is possible that one or two labourers may die in these factories, but the proprietors of these factories are unable to pay any such compensation to them. In British India andin my country this is done by the Insurance Companies, and such losses are not borne by the owners of the factories. He has to pay annually only a small amount to the Insurance Company and the compensation is granted by the Insurance Companies. I do not know whether in Kashmir such an arrangement is possible or not. Therefore the opinion of the Government is that if the hon'ble member does not press to introluce this bill, the Government will give an assurance to bring a similar bill before the House in the next session, and the mover's bill will also receive consideratian in every respect.

SHEIKH MOHAMMED AMIN: The Hon'ble Revenue Minister has misunderstood me. The Director of an Industry is a competent authority and I, in my bill, have proposed to en-

trust to the Director of Industries the work of granting compensation with a view to safeguard the interests so that he may closely see things for himself. In my bill I have exempted the small factories which have been referred to by the Hon'ble Revenue Minister in his speech.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You need not go into the details of the bill. Mr. Mohammed Amin has moved that leave to introduce his Workmen's Compensation Bill be granted to him. It has been stated on behalf of the Government that they agree to the principle of the bill, but in the opinion of the Government the bill is incomplete and requires further consideration. If this bill is entrusted to the Select Committee, it will be quite useless and it is on this ground that the Government has opposed it. Now it is for you to grant leave to introduce this bill, or not; or do you want that a similar bill should be introduced by the Government.

PANDIT JIA LAL KILAM: Just a word please. I request you to kindly express the view point of Mr. Monammed Amin. You have given the details of the view point of the Government, Sir.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It is not necessary to go into the details of the bill. That can be done in the Select Committee. There is no difference between the two parties in regard to the principle of the bill. Mr. Mohammed Amin has asked for leave to introduce this short bill consisting of 9 Sections. Now it is for you to decide whether you want to get this bill passed by the Select Committee or would rely on the assurance that has been given to you by the Government? Those who want that leave to introduce this bill be granted, may raise their hands

NOTE.—Hands were raised.

Those who want that leave to introduce this bill may not be granted may raise their hands.

NOTE.—Hands were raised.

The majority does not want that leave to introduce this bill be granted. Leave is therefore refused.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.):

ITEM NO. 3.—THE FOOD CONTROL AMENDMENT BILL.

Mirza M. A. Beg will move for leave to introduce the Food Control Amendment Bill.

NOTE.—Leave to introduce the following bill was sought.

A BILL TO AMEND THE FOOD CONTROL REGULATION NO. 1 OF 1986.

WHEREAS it is necessary to amend the Food Control Regulation No. 1 of 1936, it is hereby enacted as follows:—

1. (*a*) This Regulation may be called "The Food Control Amendment Regulation No. of 199 ".

(*b*) It shall extend to the whole of the Kashmir Province.

(*c*) It shall come into force immediately after its enactment.

2. In Section 5 of the Food Control Regulation No. 1 of 1986, the words "subject to the control of the Minister-in-charge" shall be substituted by the words "on the advice of the Advisory Board constituted under the provisions of Section 11 of the Regulation".

3. The words "or excites or attempts to excite dissatisfaction against this Regulation" occurring in Section 10 of the Food Control Regulation shall be deleted.

4. The following shall be added after Section 11 of the Regulation, as amended by the Food Control Amendment Regulation No. 9 of 1993:—

"The advice of the Board shall be binding on the Director or the Government, as the case may be".

OBJECTS AND REASONS.

1. Under the law relating to Food Control, in force for the time being, the Director Kashmir Valley Food Control has power to prohibit, restrict or control the import of Shali or rice into the Srinagar municipal limits or within Kashmir Province. As experience has shown it is neither safe nor proper to give one individual, even though acting under the control of the Minister all this power.

2. The present Regulation penalises persons who may excite dissatisfaction against the Regulation. This bans all criticism, which is in direct negation to the fundamental right of criticizing all administrative and other measures.

3. According to the Section 11 of the Regulation the Advisory Board suggests to the Government a schedule of rates. But the Government is not bound to accept the recommendation of the Board, majority of which are representatives of the people. The only time when the Board was consulted, its recommendation was absolutely disregarded.

The present bill is intended to remove all these defects in the law in force now.

MR. M. A. BEG : Sir, I ask for leave to introduce "The Food Control Amendment Bill" in the House.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : I want to know whether anybody is opposing it.

THE HON'BLE MR. K. N. KNOX : I will oppose it, Sir.

MIRZA M. A. BEG : Sir, the amendment, which is being placed before the House, is of the threefold nature. The first amendment relates to Section 5. Under this Section the Director of the Kashmir Valley Food Control has been empowered to impose restrictions from time to time on the import of Shali within the limits of the Srinagar Municipality or within the limits of Kashmir Province and can declare the import prohibited.

Section 5 reads as follows :—

"The Director, Kashmir Valley Food Control, may from time to time subject to the control of the Minister-in-charge, by order published in the Jammu and Kashmir Government Gazettee and in such other manner, if any, as might be prescribed by the Minister-in-charge prohibit, restrict or control the import into the municipal limits of the Srinagar city or the transport within the Province of Kashmir yf Shali or rice (including any preparation thereof) by ano person or persons without the authority or permission of the said Director."

Under this section the Director acts under the supervision of the Minister-in-charge. My amendment is that the Director Food Control should not impose any restrictions in accordance with the will of the Minister-in-charge but he should do so in consultation with the Advisory Board which has been established under Section 11.

The necessity of this amendment has been felt on account of the fact that experience has shown that the Director Food Control is not making use of his powers for the good of the public.

The proposed amendment has been made in order to show that the powers of imposing restrictions on the import of Shali, which have been given to the Director Food Control are totally against the welfare of the public. The economic interests of the country demand that such things should not continue on account of the fact that it has proved to be a great hardship for the public in general, and for the zamindars in particular ; nor is it expedient that one man should continue to exercise these powers. When the public make a request for removing restrictions on the import of

Shali, it is refused. The people wanted that these restrictions should be removed. Both the consumers in Srinagar and the producers in the villages raised a hue and cry, but the unanimous voice of the people was ignored and the Government refused to remove the restrictions.

Any how, the present Revenue Minister the Hon'ble Mr. K. N. Knox, showing regard for the public opinion, removed this restriction in the beginning of the year 1937, but before that the voice of the public was disregarded altogether. The Government moved to make an amendment in this Regulation, and the result was that the Regulation was amended and Section 11 was added therein according to which an Advisory Board was appointed. The Board was empowered to advise the Government in the matter of fixing rates. Now my submission is that just as the Advisory Board has been empowered to fix rates of Shali under Section 11 of this Regulation. in the same way in Section 5, whereby the Director Food Control, under the instructions of the Minister-in-charge, has been empowered to impose restrictions on the import of Shali, an amendment be made to the effect that the Advisory Board may, from time to time, advise the Government regarding the imposition or otherwise of such restrictions on the import of Shali, in so far as the unanimous opinion of the Board will be more helpful than the individual opinion of the Director. My third amendment relates to Section 10. This Section, at present, contains such words according to which none can make a fair criticism of this Regulation. The present state of affairs demand that this Section should be amended. The wording of Section 10 is as follows :—

"Any person who disobeys any order issued under this Regulation or excites or attempts to excite dissatisfaction against this Regulation or endeavours to defeat its objects or contravenes any provision of this Regulation in any other way shall be punishable with simple imprisonment for a period not exceeding one year or with fine not exceeding Rs. 1,000 or with both. All offences under this Regulation shall be triable by a court not lower in rank than that of a Magistrate of the first class, and shall be cognizable by the Police and not compoundable except with the previous iwritten sanction of the Governor Kashmir."

These words place this Regulation on a par with the Criminal Law Amendment Act. I want to submit that in the presence of such words nobody can make a fair criticism. Even if this criticism is made in good faith and with the intention of effecting improvements in it, the critic comes

within the purview of law and can be punished. Therefore the circumstances demand that this Section should be amended so that fair criticism may, from time to time, be made in good faith and the critic my be safe from the operation of this law. In these days of democracy it is sheer injustice to deprive the people of the right of freedom of expression and to put them in trouble under this Regulation even for expressing their opinion is quite contrary to the fundamental rights. If any person exposes the shortcomings and defects of the Food Control Department and with the help of facts and figures proves that the "Shali-store" has proved harmful for the public or divulges the secrets of the Department, then in the presence of this Section, he cannot do so freely, because the Government have used words in this Section which they can, at any time, utilize for crushing the public opinion The existence of such words in this Regulation in the year 1937, and especially when Hon'ble Mr. Ayyangar is the Prime Minister, is a disgrace for the Government, and particularly when the representatives of the people feel that this Section is intolerable and is a severe blow on the freedom of the people. Therefore I request the Government that these words should be deleted from this Regulation. Let anybody who defeats or attempts to defeat the object of this Regulation be punished. But a person who makes fair criticism should not be liable to punishment, and for achieving this object the words "excites dissatisfaction" should be deleted from this Section. I have moved another amendment which relates to Section 11 of this Regulation. The Advisory Board which was appointed last year, under Section 11 is empowered to advise the Government from time to time, in the matter of fixing the rates of Shali, but unfortunately the accepting, or otherwise the opinion of the Advisory Board depends upon the will of the Government. Last year, in a meeting of the Board, the Government while explaining the difficulties arising from the economic depression in the Food Control Department proposed that the price of Shali which was being paid to the zamindars should be reduced. The Director Food Control proposed a reduction of one rupee. Some members of the Advisory Board were of opinion that precipitous action should not be taken in the matter, and out of rupees three and annas twelve, rupee one should not be reduced at once ; but on the other hand the price should be reduced gradually, and therefore at persent a reduction of annas eight is sufficient. But the Government disregarded this advice and made a reduction of rupee one and annas ten

instead of one rupee that is, the price of Shali was reduced from rupees three annas twelve to rupees two and annas two only. Sir by this you can estimate how much loss the zamindars sustained by this reduction and what a bad effect it produced on their minds.

The Government has by this Section shown much greater disregard for public opinion than could be done by an irresponsible Government. When all the public representatives on this Board laid stress on the point that the prices should not be reduced abruptly and that for the present these should be reduced only by annas eight but it is regretted that no value was attached to public opinion, representatives and the view point of the Government was preferred to that of the people. This action of the Government in my opinion is not only a matter of regret for the people but it is a challenge to the authority and the prestige of the House. Every elected member should protest against this action of the Government and should demand that in future the advice of the public must be binding on the Government. With these facts an amendment to Section 11 of this Regulation has been moved in the House. I hope that every member of this House will help me in this important matter and the leave to introduce this bill would be granted.

THE HON'BLE MR. K. N. KNOX: Sir, I am sorry I cannot accept the bill introduced by my respected friend. He has made a suggestion in this behalf that the words "if anybody makes any criticism about it he shall be liable to punishment" should be deleted from this Regulation. The Government has no objection in deleting these words and the Government is prepared to delete these words but at the same time I would like to state that this Section has never been enforced. Perhaps my esteemed friends would bear me out that no prosecution has up to the present day been made under this Section and never was any person arrested under its provisions.

MIRZA M. A. BEG: Has the Hon'ble Minister made any enquiry on this behalf?

THE HON'BLE MR. K. N. KNOX: So far as my personal knowledge goes this question has never arisen, and prosecution or arrest of any kind has not so far taken place even when there was an occasion for it. What I gather after reading this bill is that the object of this bill is to make the Advisory Board master of the Food Control Department and it can in no case be possible. The Advisory Board has no money for advancing loans to the zamindars. The real

object of constituting the Board is to consult them from time to time and then the Department may arrive at a decision.

An objection has been raised that the present Advisory Board was consulted in the matter of reducing the prices of Shali but the reduction made was not in accordance with the opinion of the members of the Board. There is no doubt that this is a fact but the House must be knowing that the condition of the Department has become very critical. This Department for the last few years is running at loss and till now the Government has suffered a loss of five lacs of rupees.

MR. M. A. BEG: This loss is due to the fact that the powers under Section 5 have been conferred solely on the Director of Food Control.

THE HON'BLE MR. K. N. KNOX: I can give a reply even to this objection. What you mean to say is that the Advisory Board has no hand in this matter. But the real cause is the new system introduced by the Jammu and Kashmir Government and the proclamation made to the effect that no law or amendment can be passed unless a bill in this behalf is moved in the Praja Sabha. We cannot take any Departmental action unless the same is sanctioned by the Praja Sabha with the result that two or three years were taken in the decision of this legal point and loss was suffered. Well, let it go, I come to the real point.

When State money is advanced as loan to the zamindars and Shali purchased in lieu thereof how can zamindars be relieved of the loss and burden of the public money. This loss cannot be thrown upon the Advisory Board and because it is Government money therefore the final decision has to be made by the Government.

MIRZA M. A. BEG: It seems that the Hon'ble Revenue Minister does not oppose the introduction of this bill and he partly accepts the bill.

THE HON'BLE MR. K. N. KNOX: No, I oppose.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Whatever the principal object of the bill was that he was opposed. Those members who are in favour of granting leave to introduce this bill may please raise their hands.

NOTE.—Hands were raised.

Those who oppose the introduction of this bill may kindly raise their hands.

NOTE.—Hands were raised.

The voting was equally balanced.

MIRZA M. A. BEG : If it is equally balanced then the fate of this bill will be decided by a casting vote.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : But some gentlemen raised their hands first for the motion and then dropped them. then again raised their hands against the motion. Now after 2 o'clock the votes will be taken by division.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGAR : Votes can be taken just now at once. It will take only two minutes.

Note.—Votes were taken by division (See annexure A).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Majority is in favour of the introduction of the bill. 27 in favour and 23 against. Now we will meet at 2-5 P. M. that means five minutes after the usual time.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt) : Mian Ahmed Yar will move for leave to introduce the Prevention of Cruelty to Animals (Amendment) Bill.

MIRZA M. A BEG : What about my bill ?

MR PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Oh yes. You begin.

MIRZA M. A. BEG : Sir, the esteemed members of this House have given leave to introduce the Food Control Amendment Bill. After this I move before the House under rule 53 that my bill be taken into consideration atonce.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Which Section is this ?

MR. M. A. BEG : Section 53, Sir. I move that my bill may be taken into consideration. I have been permitted to introduce this bill I hope that the Government will not again commit the mistake of flouting the opinion of the public representatives and will not oppose the proposal passed by the majority of the public representatives.

THE HON'BLE PRIME MINISTER: I want to submit a point for your consideration. I take that my hon'ble friend wants to move under rule 53 that the bill be taken into consideration at once. I think, Sir, that this motion must be treated as out of order because no notice has been given. What I see on the agenda is that Mr Beg would move that leave to introduce the bill may be given. Next motion that may be made after the leave to introduce a bill is granted would be that the bill be taken into consideration. Under rule 26 I see that "a member who wishes to move

a motion (other than a motion for which a period is specially prescribed) shall give, in the case of a substantive motion, at least seven clear days and in the case of an amendment at least two clear days' notice in writing his intention to the Secretary. Provided that the President may, in his discretion, allow a motion to be moved at any time at shorter notice or without notice."

Sir, I do not think that there is anything which compels you to exercise extraordinary powers.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Before you speak let me see the rules. What I understand is that he wants leave not only to introduce the bill but also that the bill be taken into consideration.

MIRZA M. A. BEG: My friend the Hon'ble Prime Minister relies on rule 26. It will be seen, Sir that rule 26 only applies to cases where no period for notice has been specially prescribed by the rules. I would invite attention to the proviso to rule 53 which reads:—

"Provided that no such motion shall be made until after copies of the bill have been published in the Gazettte or have otherwise been made available for the use of members, and that any member may object to any such motion being made unless copies of the bill have been so made available for three days before the day on which the motion is made, and such objection shall prevail, unless the President, in the exercise of his power to suspend this article, allows the motion to be made".

My contention therefore is, that rule 26 only applies to cases where no specific period has been prescribed, but under rule 53 a period has been prescribed. Besides that this has been a convention of this House that after the leave to introduce has been granted by the House the member incharge of the bill can immediately make one of the motions prescribed in rule 53. That is a further point. Such motions in the past were made by Government Members (Hon'ble Home Minister) as well. A certain bill was published in Government Gazette under rule 48 and that rule provides:—

"The Council may order the publication of any bill (together with the Statement of Objects and Reasons accompanying it) in the Gazette although no motion has been made for leave to introduce the bill. In that case it shall not be necessary to move for leave to introduce the bill, and, if the bill is afterwards introduced, it shall not be necessary to publish it again."

All that this rule means is that in the case of publi-

cation under Council orders leave to introduce shall be presumed and further motions shall be made. It was also immediately after the first motion "that the bill be taken into consideration" was carried that the member-in-c..arge moved his second motion that the bill may be passed as no amendment had been moved.

THE HON'BLE PRIME MINISTER: Well, the Hon'ble Home Minister had given notice that he would move that the bill be taken into consideration. My whole point is that no notice has been given in this case.

MIRZA M. A. BEG.: That was his first motion.

THE HON'BLE PRIME MINISTER: If I remember correct his (the Home Minister's) motion was that the bill be taken into consideration. It was printed in the agenda. The whole question is of interpretation of rules 53 and 26.

MIRZA M. A. BEG.: Of course, Sir. In rule 53 it is clearly laid down that the member will atonce move that the bill be taken into consideration as I have said just now. It has been invariably the practice and therefore a convention of this House that if once a bill is permitted to be introduced the member incharge makes one of the motions given in rule 53; and that beiug so; I hope, Sir, that you will consider my motion quite in order and rule out the objection raised by my learned friend the Hon'ble Prime Minister. Besides that all rules from rule 48 onward to rule 68 lay down the procedure with respect to legislation. There is a separate heading given to this portion of the Rules of Business and Procedure, therefore we must not look for any other rule which does not govern the practice and procedure regarding legislation. I therefore think Sir that we should not under these circumstances have reference to rule 26 because rules from 48 to 68 are quite comprehensive and govern the procedure of our legislative business.

THE HON'BLE PRIME MINISTER.: This is a very important point affecting the procedure. I have raised this point because I feel that we should follow the correct procedure. My friend Mr. Beg said that we should not refer to rule 26 because rules 48 to 68 relate to motions regarding Legislative Business. My contention is that rule 26 appears to apply to all motions including those connected with legislation, and could be modified only where a special procedure has been laid down: otherwise everything that is connected with a bill is a motion and rules as regards motions must apply.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji

Kt.): What is the practice in British India.

THE HON'BLE PRIME MINISTER: In the agenda published you will find that every member asks for leave to introduce a bill if he does not wish to proceed further with any other motion. If it is his intention to move, as soon as leave is granted for its being referred to a Select Committee or for being taken into consideration, he gives proper notice for it and the specific motion is entered in the agenda. If leave is granted then the member makes the next motion that it may be taken into consideration. The practice being referred to by my learned friend does not obtain in British India.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): For the sake of discussion I would like to know what is the procedure here. It seems to me that a member has definitely to move that it be taken into consideration. When members know that the bill is likely to be taken into consideration, they will come prepared to see how the bill stand, what amendment is proposed and what amendment is desirable and what will not be desirable. People may not be ready to go through the bill. Legislation is not an easy job. If the matter is urgent and people know that it is urgent a motion can be discussed immediately but it will be difficult in most cases for the members to know whether the bill is to be taken into consideration.

PANDIT AMAR NATH KAK: Sir, my submission is that rule No. 26 applies to all motions whether it be a motion to move a resolution or a bill. You will be pleased to find in rule 53 words specifically used. (Quoted Rule 53 of the Rules of Business and Procedure).

LALA HANS RAJ: Pandit Sahib, you should please speak in Urdu so that we may also understand something.

PANDIT AMAR NATH KAK: So there is no dispute about the fact that the step now to be taken by the hon'ble member in regard to this bill is a motion that it may be taken into consideration. My learned friend's contention is that rule No. 26 does not apply on the ground that a specific provision in Section 53 for a period of three days is given. But my reading of Sections 52 and 53 shows that after a procedure prescribed by rule No. 51 is followed and leave to introduce the bill has been granted by the House, the next step is to publish it in the Government Gazette under rule 52 which says that "as soon as may be after a bill has been introduced, the bill unless it has already been published shall be published in the Gazette".

Then the next step according to rule 52 is that if any official or no-nofficial bill which has not been published in the State Gazette may be published after the leave to introduce it has been granted. Now reading rule No. 53 it appears that this rule No. 52 can be ignored in certain cases provided that no such motion shall be made until after copies of the bill have been published in the Gazette or have otherwise been made available for the use of members, and that any member may object to any such motion being made unless the copies of the bill have been so made available for three days before the day on which the motion is made and such objection shall prevail unless the President in exercise of his powers to suspend this article allows the motion to be made.

My submission is, in case it is published in the Government Gazette the objection cannot prevail that the bill has not been made available to the members. But if the second part of the proviso applies that the bills have been made available to the members and three days time has lapsed then this objection cannot be raised

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): How many days' notice you require?

PANDIT AMAR NATH KAK: I, under rule No. 26, require 15 days' notice unless the President directs otherwise. The President has his discretion and unless that discretion is used by the President I would say that for every motion whatever it is 15 days' notice is required.

So far as I remember this point has never been raised before and was never decided. It is for the first time that this point has been brought to the notice of the House. It is a very important point and I request that a ruling should be given.

MR M. A BEG: What has been the practice of this House so far?

Sir, may I raise one more point regarding this difficulty? I would like to draw the attention of the House to rule No. 5 sub rule 2. (He reads the said rule)

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The best course will be to reserve the ruling at this time, because the future procedure of the House will depend on that

Now other bills may be introduced and this should be discussed on some other day. I propose some non-official day. 25th is the next non-official day.

MIAN AHMED YAR: We have got a number of bills on that day, Sir. There is great work on that day.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): If you like I can give the ruling now, but because it is an important ruling and the future procedure of the House will depend on that, I would like to reserve it for the present.

MR. M. A. BEG: Sir, you can postpone it to some official day. On non-official days we have already got ample work.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Will the bills be guillotined if they are not discussed today?

MR. M. A. BEG: Yes, Sir.

THE HON'BLE PRIME MINISTER: Sir, I suggest that you should give the ruling as early as possible so that they should have ample time to give notice.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Well, I shall take five minutes more.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Ruling) The Hon'ble member Mirza M. A. Beg moved for leave to introduce a bill called "The Food Control Amendment Bill" The motion was opposed but ultimately, on votes being taken, it was found that the House had granted leave to Mr. Beg to introduce the bill. Mr. Beg then moved that the bill be taken into consideration.

The Hon'ble Prime Minister raised a point of order and he wanted a ruling as to whether not having given a definite notice that if the House granted Mr. Beg leave to introduce the bill, he would further move that the bill be taken into consideration, he could move that the bill be taken into consideration.

The contentions on either side are as follows:

The Hon'ble Prime Minister contends that rule 26 of the Rules of Business requires every member to give notice of a motion and therefore unless there is a notice that a particular motion would be brought before the House, Mr. Beg has no right to move today that the bill be taken into consideration. The contention of Mr. Beg is that rule 26 is a general rule and should not be applied where special rules are applicable. He relies on the proviso to be found in rule 53 and contends that where a bill has been published or where copies of the bill have been supplied to the members of the House three days previously there can be no objection to his moving that the bill be taken into consideration.

Mr. Amar Nath Kak pointed out that under rule 51 a bill when it has been introduced should be published in the Gazettee. His contention is in support of the Hon'ble Prime Minister.

Mr. Beg stated that the convention so far has been that as soon as a bill has been introduced the mover has taken advantage of rule 53 and has moved that either the bill be taken into consideration or that it be referred to a Select Committee. Mr. Kak stated that there was no such convention because this specific point was never raised before the House and that therefore no ruling was given.

My attention has been drawn by the Secretary of the Praja Sabha to a ruling of the late Hon'ble President published in Volume III of the third session of the first Jammu and Kashmir Assembly at page 61. I have read this ruling and I do not find that it definitely decides the point that has been raised at the present moment. In paragraph 5 the late Hon'ble Presidant says :—

"As soon as the bill is opposed action under rule 53 cannot be taken and action will be taken under rule 51. If however the bill is not definitely opposed action will be taken under Section 53".

I do not think that this amounts to a ruling on the exact point now before me. I pointed out to Mr. Beg the difficulty which the hon'ble members would experience in considering a bill if they have no information given beforehand that the bill would be taken into consideration. The consideration of the terms of a bill requires some study and a careful reading of the existing law and the proposed law. Mr. Beg has not been able to give me any satisfactory answer to this difficulty which the hon'ble members of the House may experience.

As I read rule 53 there is nothing in the proviso which says that if the members of the House are in possession of copies of the bill for three days a motion that the bill be taken into consideration may be moved without any previous notice. Indeed the rule 48 and subsequent rules which deal with bills do not make mention of any notice at all. This cannot mean that a motion even in respect of a bill can be made without any notice. The object of the agenda is to inform the members what is going to take place in the House and, as I have pointed out above, the members have a right to know whether a bill is going to be taken into consideration or how it has to be dealt with.

In this view and in view of the fact that rule 26 is in an entirely general language and deals with motions without any exception, I hold that a notice is necessary for the purposes of moving that a bill be taken into consideration. The notice that the hon'ble member moving for the introduction of the bill has given is that he would introduce the

bill. If his intention was that he would move that the bill be taken into consideration he should have stated that fact for the information of the House.

The result is that the objection taken to the motion made by the Hon'ble Mr. Beg is upheld and Mr. Beg will have to give notice of his intention.

MR PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Mr. Beg, can you do in this session?

MIRZA M. A. BAG: It is in your power, Sir.

DEWAN BAHADUR N. GOPALASWAMI AYYANGAR, C. S. I., C. I. E.: Till 25th; there is plenty of time.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): If I shorten the period then you will get ample time.

DEWAN BAHADUR N. GOPALASWAMI AYYANGAR C. S. I., C. I. E.: He can give the required 15 days' notice. Today is 7th and there are 18 days more to 25th.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Then I would not say anything more.

Next Item. Bill No. 4. Mian Ahmed Yar will move for leave to introduce the Preveution of Cruelty to Animals (Amendment) Bill.

NOTE.—Leave to introduce the following bill is sought.

THE REGULATION FOR THE PREVENTION OF CRUELTY TO ANIMALS NO. XIII OF 1990 AMENDMENT BILL.

Preamble.—Whereas it is expedient to give relief to the cartsmen it is proposed as below :—

1. *Short title and extent.*—This Regulation may be called the Prevention of Cruelty to Animals No. 13 of 1990 (Amendment) Regulation. It shall extend to the whole of Jammu and Kashmir State including the Illaqas of Chenani and Poonch.

2. *Amendment.*—In sub-clause K (l) and (m) of the explanation, instead of the figures 20, 30 and 40 maunds the figures 30, 40 and 50 maunds be substituted respectively.

STATEMENT OF OBJECTS AND REASONS.

The rules and law in force in the adjoining British territory allow the cartsmen to load the proposed quantity of goods but the law in the State is not in conformity with

that, and thus the carts are being discouraged to enter the State and thus the local zamindars are losing their custom, hence this measure is proposed.

MIAN AHMED YAR: Sir, I move that leave to introduce the Prevention of Cruelty to Animals (Amendment) Bill in the House be granted to me.

MR PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt): Will anybody oppose it?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN KT. (Home Minister): I will oppose it, Sir.

MIAN AHMED YAR: The Regulation of Prevention of Cruelty to Animals No. 13 of 1990 which is in force in the State is different from the rules enforced in British India. The intention of this Regulation is that both the riding and pack animals should not be treated very harshly and cruelly. Under the present law the people plying bullock carts on the Jehlum Valley Road are suffering great loss. Formerly on this road this trade flourished on a large scale and those people who brought bullock carts here purchased grass, eggs, grains and hens etc., from the zamindars. But by the decrease of this trade the poor zamindars residing in the vicinity of this road are undergoing great loss on account of the fact that these people earned some money which enabled them to pay the land-revenue easily. The world is making progress these days. The motor cars and lorries are also adversely affecting these poor people and this is also one of the causes of the downfall of this trade. There are different bullocks of different capacities. There are some which are stout and can draw heavy loads; for instance the bullocks of Hazara District. These bullocks are very strong but as soon as they enter the State the condition of drawing less burden is imposed on them which puts the owners of these carts to a great difficulty because if their strong bullocks are made to draw more than the prescribed load they can drag it easily. The loading of a strong bullock with a burden according to its capacity cannot be regarded as cruelty. If the bullocks which are weak and unable to carry much load are cruelly treated and made to carry much burden then Section 8 is there and the punishment which is inflicted under Section 15 for infringing this law that is for loading more than prescribed burden, the same can be inflicted under Section 8 for showing harsh treatment towards the weak animals. It is after a great hue and cry that we have got some facilities in the matter of road toll; that is last year the road toll was reduced by 25%; but this too benefited the motor cars, lorries and motor buses and the item of bullock

carts was not taken into consideration and the cart-drivers did not benefit by it. The measure of load in the State for those bullocks, which come from the Punjab and draw very heavy loads and are very strong, should be the same which is prescribed for them in the British India. Such a partial treatment is improper and is a source of trouble. When a provision has been made in Section 8 for the protection of the weak animals, I fail to understand why this restriction is imposed upon these cart-drivers whose bullocks are quite stout and strong and are in accordance with the law in force in British India capable of carrying more load than what is prescribed in the State. In this connection I have come to know that the officers of the Customs Department and other officers posted at the Domel Customs post have started on an enquiry, that if an addition is made in the prescribed load it will not be harmful. Moreover, when the Marketing Board also is paying attention to these cart-drivers and the Government also is making an inquiry from its departments in this behalf and they are not opposing it, then I do not understand why this amendment is being opposed. With these words I move my amendment and request the House to grant me leave to introduce it.

THE HON'RLE SAHIBZADA SIR ABDUS SAMAD KHAN KT. (Home Minister): Sir, my respected friend Mian Ahmed Yar has placed before you bill for making an addition in the load of bullock carts and he has explained it eloquently. I do not want to make a long speech but would like to place in a few words, the view point of the Government. According to the law in force at present in the State the load prescribed for a cart drawn by four bullocks is 40 maunds, 30 maunds for a cart drawn by three bullocks and 20 maunds for a cart drawn by 2 bullocks. Mian Ahmed Yar wants to make an amendment in it and suggests that the carts drawn by two, three and four bullocks should be allowed to carry 30, 40 and 50 maunds respectively. The Government intend to make a reduction instead of making an addition because the Government have to take into account the well being of the owners of the carts as well as of the dumb poor animals who have to travel through the impassable and hilly roads patiently with the result that most of them become weak and infirm. Human nature demands that we should show mercy to these animals (Cheers).

On these grounds the Government is not prepared to support this bill.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You have heard the speeches made on both the sides. Now you will have to give your opinion. Those members who want that leave to introduce this bill be granted, may kindly raise their hands.

NOTE.—Hands were raised.

Those members who want that leave to introduce this bill should not be given, may kindly raise their hands.

NOTE.—Hands were raised.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The motion is lost.

Now, next item. Bill No. 5. Lala Shiv Nath Nanda will move to introduce the Agriculturists' Relief Regulation Amendment Bill.

NOTE.—Leave to introduce the following bill was sought.

AGRICULTURISTS' RELIEF REGULATION AMENDMENT BILL.

Whereas it is expedient to amend the Agriculturists' Relief Regulation No. 1 of 1983, it is hereby enacted as follows :—

1. *Short title and extent.*—This Regulation may be called the Agriculturists' Relief Amendment Regulation. It shall extend to the whole of the Jammu and Kashmir State, including the Illaqas of Poonch and Chenani and shall come into force from the date of its publication in the State Gazette.

2. Section 5 shall be repealed and for it the following section shall be substituted :—

"5.—(1) Save where otherwise expressly provided by any other law for the time being in force an appeal shall lie from the decree passed by any Court exercising original jurisdiction under this Regulation to the Court authorized to hear appeal from the decisions of such court.

(2) No second appeal shall lie from a concurrent finding of the Court of first instance and the Court of first appeal except on any of the following grounds :—

(*a*) the decision being contrary to law or to

some usage having the force of law ;

(*b*) the decision having failed to determine some material issue of law or usage having the force f law ;

(*c*) a substantial error or defect in the procedure provided by the Code of Civil Procedure or by this Regulation which may possibly have produced error or defect in the decision of the case upon the merits ;

(*d*) the decision of the appellate Court being passed exparte."

"*Decree*" means decree as defined in the Code of Civil Procedure.

3. In the proviso to Section 9 (1) the words "Six years prior to the date of the institution of suit" shall be substituted for the words "prior to the first day of Baisakh 1978."

In sub-clause 2 (*a*) the words "but not any accumulated interest which has been converted into principal at any statement or settlement of account or by any contract made in the course of the transactions," shall be deleted and the proviso to sub-section 2 (*a*) shall be deleted.

4. In the first paragraph of Sectian 14 the following words shall be added :—

"and such instalments shall not be spread over a period of more than six years."

Objects and Reasons.

The necessity of introducing this bill to amend the Agriculturists' Relief Regulation has arisen out of the right of appeal against the suits instituted under this Regulation. As only one appeal is allowed from decrees of the Court of first instance, it is necessary having regard to equity and justice to afford opportunity for further appeals.

Lala Shiv Nath Nanda: Sir, I move that leave to introduce this bill be granted to me.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Does anybody want to oppose it?

Note.—No one opposed the bill.

Lala Shiv Nath Nanda: Sir, I am watching that almost all the bills which have been introduced today by the respected members of the Praja Sabha, were opposed by the Government. I think my esteemed friends did not come to

this House in an auspicious hour otherwise there was no reason of their being opposed and remaining unsuccessful. Under these circumstances I understand that either the motion will not be successful or I shall have to withdraw this bill. My esteemed friends sitting in front of me, I mean the members of the Conference Group, are pointing to me to withdraw this bill.

KHAWAJA G. M. SADIQ: We did not say that.

LALA SHIV NATH NANDA: You say by gestures. My submission to these hon'ble members is that ultimately I shall have to do the same; but before I withdraw it, I want to explain to you the treatment you have meted out to us the money-lenders and how this Regulation has ruined the Sahukars. This Regulation was enforced in Sambat 1983, and with its enforcement all such Regulations in the State were repealed. I have moved to introduce this bill in the Praja Sabha, but I know the fate that awaits this bill. There is one hope which has prompted me to introduce this bill in this House and that is that now a new ministry has been formed and there has come a great change. A voice that every one will receive justice and the injustice done to the money-lenders will be made good, is coming from every quarter; therefore I move to introduce this bill in the Praja Sabha.

SHEIKH ABDUL HAMID: In this ministry there is neither any money-lender nor a supporter of the money-lenders.

LALA SHIV NATH NANDA: Sir, by reading this bill carefully it will be found that this Regulation was passed in 1983, but it was enforced with effect from 1978. I want to show to the House how the laws are framed and enforced in the present time. I want to ask whether they are enforced from the date on which they are made or 5 or 6 years before that date? This law was passed in Sambat 1983, but it was given a retrospective effect, that it was enforced with effect from 1978 (six years before).

Sir, I want to quote an instance before you and that is this that the Account Bill which is popularly known as Sahukara Bill was placed before the Punjab Assembly. This bill was passed in the Legislative Council in July 1927, and it was strongly opposed in and outside the Council. All the non-official Hindus and Sikh members raised a unanimous voice against this bill and stressed the point that this bill was one-sided and had been introduced with the object of benefiting only one class of people, and that this particular class had made up its mind to annihilate the money-lenders. The object of quoting this instance was to show that all the laws

in the State are taken from the Punjab. The laws in force in the Punjab are copied and introduced in the State otherwise there was no reason for the passing of this bill in the State. And the fact that it has been enforced with effect from 6 years prior to the date of its being passed is all the more unjust. Nowhere else has so much injustice been done to the money-lenders as has been by the passing of this Regulation. I want to invite your attention to a section of this Regulation. (Reads the section)

Sir, when this Regulation was passed, we the Sahukars submitted to the Government a large number of applications, sent many deputations, conferences were held and resolutions passed to the effect that we were hard hit by this Regulation and therefore it should be reconsidered. But the Government has so far paid no attention towards making any amendment in this Regulation and has not moved even an inch. After all we too are the inhabitants of the State and the Government is being run by the income tax that we pay, therefore it is the duty of the Government to render us every help.

Sir, the amendment proposed in this bill aims at making such an amendment in Section 5, whereby the money-lenders may be given a right of appeal. Under the existing law the Sahukar has a right of only one appeal when the value of the suit is below Rs. 500 and no second appeal is allowed to him. No civilized Government in the world would thus deprive anybody of his right of appeal. It is true that every human being is apt to make mistakes; but the wise step is to admit that mistake. When the Hon'ble Chief Justice like late Sir Barjor Dalal made any mistake he atonce admitted it; there is no reason to believe that an ordinary Munsiff who is a mere child when compared with high officers and learned magistrates, cannot make mistakes.

Sir, it is the moral duty of every civilized Government to grant a right of appeal to every person and there should be no opposition to the granting of this right of appeal. The restriction imposed in Section 9 is of such a nature that nowhere in the world does such an example exist; that a law is passed at one time and it is enforced with effect from six years prior to the date of its passing.

MR. G. M. SADIQ: Under rule No. 51 he can make only a brief explanatory speech.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): But you have given an indication that you are not going to oppose it.

MR. G. M. SADIQ: But he cannot make a long and

irrelevant speech.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : I will draw his attention to it. (Addressing Mr. Nanda) You have only 5 minutes more.

LALA SHIV NATH NANDA : Very well, Sir. I was submitting that there is Section 9 in this Regulation according to which all the accounts between the money-lenders and the zamindars from the year 1978 can be checked ; but the checking of the accounts of 16 or 18 years is by no means an easy task. In order that one should be a hereditary State-subject, it is necessary that one should be living here before Sambat 1942. If we go on living here for thousands of years, even then the restriction that one should be the subject of the State before 1942, is there. Similarly in this section also the same restriction exists that even after the expiry of 50 or 100 years the accounts should be checked from the year 1978. Under these circumstances, I submit that instead of "from the year 1978" the words for the last six years should be substituted. That is if a suit is filed today, then the accounts of the last 6 years should be checked and it is with this object in view that this amendment has been made. Under Section 14 also a similar restriction has been imposed on the Sahukars which has affected them very badly. A money-decree which is passed against the judgment-debtors (zamindars) cannot under this section be executed soon, on account of the fact that the instalments fixed are so small that the payment cannot be completed for years together. I want to draw your honour's attention to a question which is as under. It was in this very session that I gave notice of a question in order to show what hardships have been undergone by the money-lenders. I shall read this question before your honour.

(*a*) Is it a fact that Sections 11, 13 and 14 of the Agriculturists' Relief Regulation of 1983 provide that the courts, at the time of passing a decree against a zamindar, shall make an order in the decree that the judgment-debtor should pay the decretal amount by means of one or more instalments, and the amount of instalments should be fixed according to the paying capacity of the judgment-debtor. Although under the said Regulation the court is empowered to fix even one instalment in a suitable time, yet up to the present day not even in one case has such a judgment been passed which shows that it is only under a misunderstanding that the courts think that they should fix more than one instalments. Moreover the courts fix even such instalments

which can not liquidate the decretal amount even in 200 years. I quote a few instances.

In a suit, Chuhra debtor *versus* Bhagmal etc. creditors-defendants, file No. 867 of the year 1984 decided in the court of Sub-judge Jammu on the 28th of Assuj 1984, the decretal amount was Rs. 1,633 and the instalment fixed for every harvest was Rs. 4 and the monthly instalment was 10½ annas and the period fixed for the payment of the amount was 217 years.

In another suit, Faqir Chand *versus* Maugtu, file No. 410 decided in the court of Sub-judge Jammu, on the 15th Har 1984, the decretal amount was Rs. 1,281 and the half-yearly instalments was Rs. 5, the monthly instalment was fixed as 13 annas and the period for the payment of the whole amount was fixed as 128 years.

In another case Mangtu *versus* Nathu, file No. 789 decided in the court of Munsiff Samba on the 5th Bhadon 1984, the amount decreed was Rs. 345-11-0 and the instalment fixed for every harvest amounted to Rs. 2-8 0 and instalment for every month was 6¼ annas and the period for the payment of the money was fixed as 75 years.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.): Mr. Nanda, your time is over.

Lala Shiv Nath Nanda: I was submitting that in the realization of money the money-lenders were faced with these hardships. The period of 6 years should be fixed for the realization of the decretal amount. Therefore I place this bill before the House and request that consideration be given to it.

The Hon'ble Mr. K. N. Knox (Revenue Minister): Sir, I think only a few words are required to oppose this bill. When this Regulation was framed it was the intention of the Government that in order to benefit the zamindars the expenses of appeal and the court-fees should be reduced and the poor zamindars helped as far as possible. If in a suit the amount decreed is 200 or 300 rupees and if this bill is accepted as it is, then the expenses of this suit, as has been stated by my friend, will be too much. The Council at that time, decided that if a decree is passed in a small suit, there should be no appeal but review. If there are some special reasons the Government will issue instructions to the High Court to make some suitable suggestions. It is the legal point regarding which there is some doubt, otherwise there is a clear provision in the Regulation that there shall be no appeal from the court of a

Munsiff if the amount decreed is less than Rs. 200 or from the court of a Sub-judge, if the amount decreed is Rs. 500 or less than that. Of course the Government should make it clear as to whether on the dismissal of a suit an appeal will be allowed or not, and state that when a suit is dismissed, there shall be no appeal.

LALA SHIV NATH NANDA: Since I am satisfied with the brief speech of the Hon'ble Revenue Minister I withdraw this bill.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does the House allow him to withdraw his bill ?

VOICES: Yes, yes.

NOTE.—The bill was withdrawn with the permission of the House.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.). Mian Ahmed Yar will move for leave to introduce the Kashmir Alienation of Land (Amendment) Bill.

NOTE.—The bill is as under

THE KASHMIR ALIENATION OF LAND REGULATION NO 7 OF 1990 AMENDMENT BILL.

Preamble.—Whereas it is expedient to provide for adequate safe-guard against the alienation of land by the agriculturists in the Valley of Kashmir, the following is proposed:—

1. *Short title and extent.* -This Regulation may be called the Kashmir Alienation of Land Regulation No. 7 of 1990 (Amendment) Regulation. It shall extend to the whole of the Jammu and Kashmir State including the Illaqas of Poonch and Chenani.

2 In the proviso after Section 5 between the words "one-fourth" and the words "in the aggregate" the following words be added:—

"Of each kind and".

And at the end of its proviso the second proviso be added as below:

"Secondly provided that no person whose main source of income is Sahukara or service, shall be eligible to purchase land from a member of an agricultural class.

OBJECTS AND REASONS.

The present provisions of the Regulation do not provide sufficient safeguard to the agricultural classes of Kashmir, hence this measure is proposed.

MIAN AHMED YAR: Sir, I move that leave to introduce the Kashmir Alienation of Land (Amendment) Bill No. 7 of 1990, may be granted.

M. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does anybody oppose it?

PANDIT AMAR NATH KAK: I oppose it.

MIAN AHMED YAR: This law was enforced in 1990 under the title "Alienation of Land Regulation No. 7". In reality Regulation No. 6 was framed for Jammu Province, and some amendments in it (sub-sections 2 and 3) were introduced. This Regulation No. 6 under the title of Regulation No. 7 was enforced in Kashmir Province. The Regulation No. 7 provides that the zamindar of Kashmir shall not in future for a period of ten years mortgage, sell or transfer more than $\frac{1}{4}$th of his land. The object of enforcing it is to provide safeguards to the simple minded zamindars of Kashmir so that they may be saved from being deprived by mortgage or sale of the rights of ownership. At that time it was provided that the zamindar of Kashmir can alienate only $\frac{1}{4}$th part of his land, but it was ignored as to what particular kind of land he can alienate. Here are different kinds of lands. For instance there is such land on which land-revenue is charged at the rate of Re. 1 per Kanal, while there are others on which the land-revenue is realized at the rate of 2 or $2\frac{1}{2}$ rupees per Kanal that is those lands on which rice or other valuable crops are produced. At that time it was ignored or was left out by mistake. If a person possesses 20 Kanals of land out of which 5 Kanals of land is such on which rice is sown and which is of the value of Rs. 500. If he alienates this valuable land, then the rest 15 Kanals which is of the value of Rs 75 is left with him

The past experience has proved that during the last 3 or 4 years the zamindars have sold valuable areas and the rich people have purchased those fine and valuable areas on low prices and now the zamindars are left with less valuable lands It is with this object that this Amendment Bill has been introduced so that in this Regulation the permission to sell or mortgage to the extent of $\frac{1}{4}$th of their area should be made by classes of land so that the zamindars may alienate the remaining portion of his area in such a way that his own status may not become low. Therefore I present this bill before the House and request that leave to introduce this bill may be granted.

PANDIT AMAR NATH KAK: A close examination of this

bill shows that the objection of begging leave to introduce this bill is twofold, but the mover has placed before the House only one fact and he has not invited the attention of the House to the second point and that is this "that no person whose chief source of livelihood is Government service or money-lending shall have a right to purchase land".

In order to take into consideration the legality of this restriction it is necessary to see the principle in accordance with which the agricultural classes have been formed and the circumstances under which the Alienation of Land Regulation was enforced. One of the recommendations of the Glancy Commission was that the Alienation of the Land Regulation should be framed and enforced on the same lines as it has been done in the Punjab and it was done accordingly. If in some cases there remained any difference my learned friends moved some resolutions in the last two or three sessions of the Praja Sabha to the effect that the Glancy Commission recommendations were. so far, not fully carried into effect and that laws, in this connection, were not enforced quite in accordance with those of the Punjab and it should immediately be done. Another deficiency that was felt was that in spite of the Glancy Commission recommendations, the Right of Prior Purchase Bill was not passed and which was passed after submitting frequent motions by private members. The same demand that this law should be made to conform to with the law in force in the Punjab, was always put forward. But now the law in the Punjab is being ignored and a strange motion is being put before the House. In the law in force in the State the agricultural classes are not formed as is the case in the Punjab that is by individuals, because declaring the individuals to be agriculturists is contrary to the principle which, in this case, has been kept in view. The principle introduced in Jammu was that any class of people which has in its possession collectively two Kanals of land per head that class was, as a whole, declared to be an agricultural class, and in Kashmir that class which has in its possession four Kanals of land per head has been declared to be an agricultural class. By closely reading the relevant Section of the Alienation of Land Act in force in the Punjab, it will be found that a member of an agricultural class does not cease to be an agriculturist simply because he has adopted trade or Government service as his occupation.

(The Hon'ble member reads the sections)

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Please quote law only.

PANDIT AMAR NATH KAK: Moreover this matter went up to the High Court, and it was held that if a person belonging to the agricultural class takes up service, he cannot thus be declared to be a non-agriculturist ; and there is no reason why this principle should be disregarded here in the State. If the proposed practice is followed a number of disputes will arise, not a single sale-deed will be registered and the agriculturists will be put to great hardships. Whatever, I have stated is in the interest of the agriculturists and they on behalf of the zamindars are making a demand every day that the zamindars should be given a greater share in the Government services. If this principle is followed they will be deprived of even this right. If a person who possesses five Kanals of land, takes up Government service with a pay of 15 rupees per mensem, then, by entering into service his income will surely become greater than what it was before. If he wants to increase these 5 Kanals to 7 Kanals he cannot do so simply because he is a petty Government servant drawing 10 or 15 rupees per mensem and he shall be liable to be excluded from the agricultural class on account of the fact that his income from Government service is greater than the income from agricultural occupation. I do not want to take more time and would submit that when such is the law in force in the Punjab, then the agriculturists here should not be put to hardships by introducing such practice in the State. Such a course of action will be contrary to the law in force in the Punjab and detrimental to the interest of the zamindars. The second proposal made in this bill is that one should have a right to sell $\frac{1}{4}$th of every kind of land. This proposal also is against the interests of the zamindars. My experience is that the kind of land which has upto this time been sold in Kashmir is not sound.

The zamindars have sold only that land which yielded absolutely no profit to them. I can prove it that the greater portion of land sold was quite worthless Now if I have got Abi land or a garden full of trees, I am, by means of this proposal, compelled to split this valuable Abi land and profitable garden and sell away $\frac{1}{4}$th part of it. It will be a great injustice to the zamindars and thus both these proposals are opposed to the interests of the zamindars and keeping in view their interests, I oppose it. All the agriculturists should oppose it. For instance I have a garden in which fruit trees are growing and adjacent to it there is a waste land also. I am forced to sell away $\frac{1}{4}$th part of my garden and of the waste land although I want to save that land

which is converted into a garden and to sell away the waste land only because the waste land is not yielding any profit to me. Besides you will find, Sir, that in Kashmir the zamindars cannot improve the land.

Mr. M. A. BEG: Question, question?

PANDIT AMAR NATH KAK: It is quite right. In my opinion this principle goes against the interests of the zamindars, therefore leave to introduce it should not be granted.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Those members who want that leave to introduce Mian Ahmed Yar's bill be granted may please raise their hands.

(Hands were raised)

Those members who want that leave to introduce it should not be granted may please raise their hands.

(Hands were raised again)

Motion is lost.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Next Bill No. 7.

MIRZA M. A. BEG: Sir, I want to move before the House that leave to introduce the Town Area Regulation No. 4 of 1990 Amendment Bill be granted to me.

NOTE.—The bill was as below.

A BILL TO AMEND THE TOWN AREA REGULATION NO. 4 OF 1990.

Whereas it is necessary to amend the Town Area Regulation No. 4 of 1990, it is hereby enacted as follows:—

1. *Short title, extent and commencement.*—(*i*) This Regulation may be called the Town Area Amendment Regulation No. of 199 .

(*ii*) It shall extend to the Provinces of Jammu and Kashmir.

(*iii*) It shall come into force immediately from the date of its enactment.

2. The word "Regulation" wherever used in the following sections means the Town Area Regulation No. 4 of 1990.

3. Sub-section (2) of Section 3 of the Regulation shall be deleted.

4. Sub-section (2) (*b*) of Section 5 of the Regulation shall be deleted and the following substituted therefor :—

> "Not less than ten and not more than fifteen members, to be elected in accordance with the rules made in that behalf."

5. The proviso after sub-section (2) (*b*) of Section 5

of the Regulation shall be omitted

6. The proviso after sub-section (3) of Section 5 of the Regulation shall be omitted.

7. In Section 31 of the Regulation, the proviso shall be deleted and the following added after the word "committed":—

Provided that such magistrate is not the Chairman or member of the Town Panchayat.

Provided further that no magistrate shall take cognizance of any offence under the Regulation except with the previous sanction or on the complaint of the Chairman of the Town Panchayat, within whose Town Area an offence under the Regulation is committed.

OBJECTS AND REASONS.

1. According to the proviso to Section 3, sub section (1) of the Town Area Regulation an agricultural village cannot be included in the Town limits. According to sub-section (2) of Section 3 a mere declaration of the Government of His Highness the Maharaja Bahadur, in the Government Gazette, that a certain locality is not an agricultural village is the conclusive proof of its not being so. Thus purely agricultural villages have finally been included in Town Areas by merely publishing a notification in the Government Gazette, to that effect. This provision has therefore been used to evade the effect of the said proviso to sub-section (1). By deleting sub-section (2) full effect can be given to the intention of the proviso.

2. It is desirable that the tax payers should have adequate representation on the Town Panchayats, which can be had if they are given the right to elect their representatives. Mandatory provision have, therefore been proposed in the present amendment to achieve that object.

3. At present offences under the Regulation may be tried by the chairman or vice-chairman of the Town Panchayat (both of whom may exercise magisterial powers). But as they are the members of prosecuting body *i. e.*, the Town Panchayat, it is not desirable in the interests of equity and justice that these offences should be tried by them. Provision has, therefore been made in the amendment to oust their jurisdiction in case of offences under the Regulation.

MIRZA M. A. BEG: If the Hon'ble Revenue Minister has to oppose this bill, he should inform me of his intention.

THE HON'BLE MR. K. N. KNOX: I oppose it.

MIAN AHMED YAR: Everybody is opposing the Government and the Government is opposing everybody.

MIRZA M. A. BEG: Sir, the bill which I am asking leave to introduce contains three kinds of amendments. First I sent to your honour different amendments separately for this reason that if the Government opposes one particular amendment that one will be defeated by the opposition of the Government, and if the Government supports a certain amendment that one will be carried. But under your Honour's instructions I had to consolidate these amendments with the result that if the Government wants to oppose some particular amendment, my bill will be opposed as a whole. I have moved three amendments. The first amendment relates to Section 2 of the Town Area Regulation of 1990. There is a proviso at the end of clause 'D' of Section 3 (the hon'ble member read out the proviso).

This proviso applies to Section 3 and according to it all the locality except the villages can be declared as Town Area. The intention of the Regulation was that the zamindars may not have to bear the burden of these taxes which can necessarily be imposed upon a Town Area. But in sub-section (2) of Section 3, there is a proviso according to which the declaration of the Government to the effect that no particular place is an agricultural village is an absolute proof of the fact that it is not an agricultural village. Similarly some purely agricultural villages have, simply because of the publication of an Ailan in this behalf in the Government Gazette, been included in the Town Areas with the result that in most of the Town Areas, such villages as are purely agricultural ones were included, and accordingly many agricultural villages have been included in Anantnag and Bijbihara Town Areas. For example Tarapora has also been included in the Town Area. Under sub-section (1) all the agricultural villages should be excluded from the Town Area. Many representations were made to the Hon'ble Revenue Minister and he wanted four weeks' time but now 6 months have passed and nothing has come out of it. In the same way 'Mamal' and other villages in Pahalgam were included in the Town Area. The mode of living of the zamindars requires them to carry manures from time to time, to their fields and they have to carry loads etc. from the houses. If they are included in the Town Area they cannot carry on this sort of mode of living. With this aim in

view, His Highness' Government made this proviso in Section 3, but sub-section (2) renders it ineffective, therefore in order to fulfil the object of sub-section (1) of Section 3 it is necessary to delete sub-section (2). The second amendment is that under Section 5 of the Regulation, no such person can be appointed a member of the first Panchayats who may be elected by the people and may represent the view point of the public. The Government has, in the second life of the Town Area Panchayats, provided that $\frac{1}{3}$rd of the members can be elected, that is the majority in these committees shall be of those members who may be appointed against the wishes of the people and in whom the people have no confidence, with the result that a large number of taxes are imposed on the people without any representation whatsover. Therefore great unrest prevails in the country as a whole and particularly in the villages which have been declared as Town Areas. And keeping in view the principle of no taxation without representation, this unrest is quite justified. I think, in these days and especially in the presence of Ministers who have come from the educated and civilized parts of the country, there is no need of urging the principle of no taxation without representation and particularly today's experience compels me to say these words that when the people especially the Ministers shift from one place to another I think they change their thoughts also. This can be one of the reasons, otherwise the other reason is that they cannot realize our difficulties to the same degree as they feel the difficulties of their own countrymen with whom they have to spend the last days of their lives. Our object is to bring home to the Government that the people do not want to pay any tax without representation. The Hon'ble Prime Minister hails from that part of India where the Municipalities can be called as the perfect democratic institutions. In comparison with that we have Town Areas and even in these days the Government is thrusting upon us men in whom we have no confidence and who are unable to understand anything about the Town Areas. The Hon'ble Revenue Minister would have received a representation from Anantnag even today to the effect that the taxes have been increased from annas two to rupee one. The people have no representation in the Committees and Dharat is being increased. All this is being done by persons who have no right to represent the public and the Government has, of its own free will, appointed them

in the Committees and the Government feels proud of it. If the people of Anantnag demand from you that their taxes should be reduced then they are justified in it. I want to point out to the Government that if they oppose the constitutional methods they will be compelling the people to ignore the constitutional methods and adopt such unconstitutional methods as the Government can well imagine. My amendment in this behalf is that in the Town Areas all the members except the President should be elected by the people.

PANDIT JIA LAL KILAM : What about the minorities ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing Mr Beg) Go on, I thought the hon'ble member had raised a point of order.

MIRZA M. A. BEG : The third amendment which I have moved in this Regulation relates to Section 31. According to Section 31 the chairman or the vice-chairman is empowered to try all such cases which relate to contravening the provisions of the Town Area Regulation. But the powers to try the cases should not be entrusted to the chairman or the vice-chairman. The reason is that the Town Area Committee under the provisions of the Town Area Regulation gives power to institute cases and gives power of prosecution to another person but since the chairman and the vice-chairman are members of the prosecuting body (that is the Town Panchayat), therefore it is contrary to the principles of justice and equity that they should try these cases themselves. On the one hand he is discharging the duties of the President of the Panchayat and on the other hand he is acting as a judge for trying the cases which is opposed to the principles of justice and equity. Therefore I have moved an amendment that the powers of trying cases in the Town Areas under the Town Area Regulation should be withdrawn from the chairman and the vice-chairman.

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : Sir, I do not understand whether there is any special defect in sub-section (2) of Section 3, but I do admit that some mistake might have been made in including certain villages in the Town Areas. Therefore I assure on behalf of the Government that all the Town Areas would be examined and the wishes of the inhabitants thereof would be taken into consideration.

My esteemed friend has moved the amendment that sub-section 2 of Section 3 should be deleted forthwith. It is not prepor. It is necessary to find out as to whether the limit of a town has properly been fixed or not ?

MIRZA M. A. BEG: What about sub-section (1) (*a*) ?

THE HON'BLE MR. K. N. KNOX: In this connection every person has a right to express difference of opinion until the fact, whether the Government view point is right or wrong or whether an agricultural village is a town or not, has been decided by a a court of law.

MIRZA M. A. BEG: Does not the Hon'ble Minister see that under sub-section (2) the decision of the Government is final and conclusive ?

THE HON'BLE MR. K. N. KNOX: It is conclusive. But I want to state that there will remain no difference after the decision is made and the decision will be arrived at in the court. But I admit and give an assurance that if any agricultural area has been included in the Town Area against the wishes of the people, it will be excluded and all the Town Areas will be re-examined. As regards the principle that the agricultural villages should not be included in the Town Area without the consent of the people thereof, I quite agree with my respected friend.

I think sufficient enquiry is required to be made in this behalf about two places, namely Bijbihara and some part of Pahalgam. I do not agree to the second proposal of my friend that in every Town Area there should be fifteen elected members. I think the number of members should not exceed 5 or 7. I want to state on behalf of the Government that half the members should be elected and half should be nominated by the Government. The Praja Sabha Sad must remember that this is a new Regulation and everything in this connection should be carried out by slow degrees, and steps should be taken after careful conisderation. This Regulation has been passed by this Praja Sabha and there is as yet no necessity of affecting any change in it. I assure you on behalf of the Government that I have already issued orders to the effect that half the members should be elected and half nominated by the Government The rules provide that $\frac{1}{3}$rd of the members will be elected which clearly shows that some members will certainly be elected and to think that none will be an elected member is incorrect. As regards Section 3, my esteemed friend has raised objection on a minor point that at those places where there is no Town Area, the Revenue Minister should not have power to nominate members in the beginning of the establishment of Town Areas there. Now, in such cases, that is, when there is no electoral roll at the time of establishing a Town Area, how can any member be elected ; therefore in order to maintain a Town Area it is necessary to

have nominated members. The Government has no special objection in accepting this amendment It is only for a few years that the Government has empowered the Revenue Minister to nominate members so that the Town Areas could be maintained. I am very sorry to find that my esteemed friend has regarded the nomination of members to be so bad. My esteemed friend must remember that this is a new Regulation and it will be amended by slow degrees and they should wait for some time. Regarding the last amendment which my esteemed friend has moved in Section 31, that the chairman or a member of the Panchayat of the town should not act as a magistrate, the Government has no objection and I accept it on behalf of the Government.

MR. M. A. BEG: Sir, has the Hon'ble Revenue Minister issued orders that one-half of the members will be elected?

THE HON'BLE MR. K N. KNOX: I have not issued any general order but where it was necessary, I have done so. It cannot be possible in all cases. Whenever the chairman will send a report to me that it is possible to elect half the members I shall issue such orders.

MR. M. A. BEG: May I know, Sir, whether the chairman, if no reference is made to him, could issue such orders sue moto?

(No reply was given)

MR. M. A. BEG: Let it be put to vote, Sir.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Now all the members have listened to what the intention of this Amending Bill is. Those members who support Mr. Beg, will kindly raise their hands.

NOTE.—Hands were raised.

Now those members who oppose Mr. Beg will kindly raise their hands.

NOTE.—Hands were raised.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The motion is lost.

MR. M. A. BEG: May I claim a division, Sir?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Yes.

MR. M. A. BEG: The Chief Secretary got up in my favour, but he was made to sit down. On the floor of the House it is not constitutional.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): That was due to some misapprehension, I believe.

MR. M. A. BEG: But he does not say so, Sir.

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary to the Government: I say that I am still not in your favour. (Laughter)

Division was then taken. (*See Annexure B*)

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The motion is lost. 19 for and 36 against the motion.

MR. M. A. BEG: Sir, I want to raise a point of order. Just now when the voting was going on it was brought to our notice that there is a member, non-official, sitting on the Government benches who is not really officiating in the Government. Under Section 14 of the Constitution Order No. 2 of 1991, the Praja Sabha should consist of members either nominated or elected. I am reading Section 14 (reads Section 14). Then in the last sentence of the same section, it is mentioned that the number of the official members nominated by virtue of holding any office in the Government should not exceed 12 including the Ministers. Just now we have been informed that Mr. Purbi is now occupying a seat in block No. 1. He does not hold any office in the Government. Therefore acording to Section 14 any person who is not a.....

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Very well, I will give ruling on this point to-morrow, meanwhile Sardar Mal Singh will move for leave to introduce his Nationalisation Bill.

SARDAR MAL SINGH: Sir, my submission is, that since motions for leave to introduce in the House two similar bills are coming on I would not move my bill

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): All right. Now Mian Ahmed Yar will move for leave to introduce the Agriculturists' Relief Regulation Amendment Bill.

NOTE.—The bill is as below.

THE JAMMU AND KASHMIR AGRICULTURISTS' RELIEF REGULATION OF 1983 AMENDMENT BILL.

Preamble.—Whereas it is expedient to provide an adequate relief to all the agriculturists the following provision is proposed:—

1. *Short title and extent.*—This Regulation may be called the Jammu and Kashmir Agriculturists' Relief Regulation of 1983 (Amendment) Regulation. It shall extend to the whole of the Jammu and Kashmir State and it shall come into force from the day it receives His Highness' assent.

2. *Amendment proposed.*—(1) The following section as Section 10 A be added after Section 10 of the Regulation:—

10 A.—An agriculturist shall have the right for filing a suit for accounts under this Regulation in case of a debt secured by a mortgage of immovable property or pawn of a movable property.

(2) After Section 14 of the Regulation the following be added as Section 14 A:—

14 A.—If a person becomes an agriculturist as defined in this Regulation, the decretal amount shall be made payable by instalments on his application and such instalments shall be fixed according to his paying capacity. And no amount as interest shall be recoverable as may be more than half the principal debt originally advanced.

STATEMENT OF OBJECTS AND REASONS.

If a person becomes agriculturist after the decree is passed he cannot get any relief under the present provisions and the adequate relief is not provided for the profession of agriculture. Hence this measure is proposed.

MIAN AHMED YAR: I move that leave to introduce the Agriculturists' Relief Regulation Amendment Bill, be granted.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does anybody oppose it ?

THE HON'BLE MR. K. N. KNOX: I oppose it.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It is now four, therefore it is postponed for the 27th instant.

NOTE.—The House then adjourned till Wednesday the 6th October 1937.

ANNEXURE A.

The House divided as below :—

Ayes ... 27	Noes ... 23
1. S. Kanhaya Singh.	1. Dewan Bahadur N. Gopala Swami Ayyangar
2. S. Dhian Singh.	2. Rao Bahadur Thakur Kartar Singh Ji.
3. Col. Abdur Rahman Khan.	3. Mr. K. N. Knox.
4. L. Hans Raj.	4. Sahibzada Sir Abdus Samad Khan.
5. Kh. Saif Shah.	5. Rai Sahib Pt. R. C. Kak
6. Kh. Sanaullah.	6. K. B. Raja Mohamme Afzal Khan.
7. Raja Murawwat Khan.	7. Wazir Feroz Chand.
8. K. B. Th. Agha Syed Hussain.	8. Pt. Ram Nath Sharma.
9. S. Mal Singh.	9. Mr. Ghulam Ahmed Ashai.
10. Sh. Abdul Hamid, Advocate.	10. Rai Bahadur Pt. A. N Purbi.
11. Ch. Abbas Ali, Zaildar of Mirpur.	11. B. Ram Dass.
12. Abdur Rahim Bande.	12. Pt. Jia Lal Kilam.
13. Kh. Safdar Ali.	13. Pt. Gobind Ram Kabu.
14. Moulvi Mohd. Abdulla.	14. Pt. Amar Nath Kak.
15. Ch. Abdulla Khan.	15. L. Shiv Nath Nanda.
16. Major Ata Mohammed.	16. Major General Janak Singh.
17. Mian Ahmed Yar.	17. Wazir Tej Ram.
18. Mirza M. A. Beg.	18. Rai Ghulam Hussain.
19. Sh. Mohammed Amin.	19. Col. Sansar Singh Ji.
20. Mr. G. M. Sadiq.	20. Rai Sahib Pandit Sham Sunder Lal Dhar
21. Mian Qurban Ahmed.	21. Khan Sahib Mirza Ghulam Mustafa.
22. Kh. Ali Mohammed.	22. Major Th. Prem Singh of Jandi.
23. Kh. Ahmed Ullah Shahdad.	23. Risaldar Thakur Sadhu Singh of Vatala
24. Syed Hussain Shah Jalali.	
25. Kh. Ghulam Hussain Malik.	
26. Kh. Ghulam Mohi-ud-Din.	
27. Subedar Khan Mohammed Khan.	

Annexure B.

The House divided as below :—

Ayes ... 19

1. Col. Abdur Rahman Khan.
2. Kh. Saif Shah.
3. Kh. Sanaullah.
4. Raja Murawwat Khan.
5. Peer Hissam-ud-Din.
6. Ch. Abdulla Khan.
7. Major Ata Mohammed.
8. Mian Ahmed Yar.
9. Mirza M. A. Beg.
10. Sh. Mohammed Amin.
11. Mr. G. M. Sadiq.
12. Mian Qurban Ahmed.
13. Kh. Ali Mohammed.
14. Kh. Ahmedullah Shahdad.
15. Syed Hussain Shah Jalali.
16. Kh. Ghulam Hussain Malik.
17. Kh. Ghulam Mohi-ud-Din.
18. Subedar Khan Mohammed Khan.
19. Ch. Abdul Karim.

Noes ...36

1. Dewan Bahadur N. GopalaSwami Ayyangar.
2. R. B. Th. Kartar Singh Ji.
3. Mr. K. N. Knox.
4. Sahibzada Sir Abdus Samad Khan.
5. Rai Sahib Pt. R. C. Kak.
6. K. S. Raja Mohammed Afzal Khan.
7. Wazir Feroz Chand.
8. Pt. Ram Nath Sharma.
9. Mr. Ghulam Ahmed Ashai.
10. Rai Bahadur Pt. A. N. Purbi.
11. B. Ram Dass.
12. P. Jia Lal Kilam.
13. P. Gobind Ram Kabu.
14. Pt. Amar Nath Kak.
15. L. Shiv Nath Nanda.
16. Pt. Ram Chandra Dobey.
17. Wazir Ganga Ram.
18. S. Hari Singh.
19. L. Hans Raj.
20. Major General Janak Singh.
21. K. B. Th. Agha Syed Hussain.
22. Wazir Tej Ram.
23. Rai Ghulam Hussain.
24. Col. Sansar Singh Ji.
25. Rai Sahib Pt. Shyam Sunder Lal Dhar.
26. Pt. Ram Chandra Razdan.

27. Khan Sahib Mirza Ghulam Mustaffa.
28. Major Th. Prem Singh.
29. Risaldar Th. Sadu Singh.
30. S. Mal Singh.
31. Munshi Asad Ullah, Advocate.
32. Pt. Lok Nath Sharma, Advocate.
33. Ch. Abbas Ali, Zaildar of Mirpur.
34. Ch. Abdulla, Zaildar of Ranbir Singh Pura.
35. Mr. Wajid Ali Shah.
36. Yebgo Iftikhar Ali.

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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

5TH DAY

(5th October 1937)

BUDGET GENERAL

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



JAMMU:

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JAMMU AND KASHMIR PRAJA SABHA.

Tuesday the $\frac{5th\ October\ 1937.}{20th\ Assuj\ 1994.}$

The Praja Sabha met in the Praja Sabha chambers at Rajgarh Palaces at 11 of the clock.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the chair.

Rai Bahadur Mr. Jagat Parshad, C. I. E., Accountant General was sworn in.

QUESTIONS AND ANSWERS.

253. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Palandari High School was opened seven or eight years ago but the arrangements in the school are not adequate. The building, the staff and the subjects etc. everything is not upto the requirements with the result that the number of students does not increase. Science which is the most essential subject for the sons of the soldiers has not yet been introduced in the school.

(*b*) If the reply to the above be in the affirmative, it may be stated as to when the Palandari High School will be completed like the Poonch High School?

(*c*) If the authorities plead inability, will the present grant in aid and the school be entrusted to the Christian Missionary so that he may take upon himself the responsibility of completing the school by spending more money as he has assured?

(*d*) The Poonch High School is, at present granted nearly Rs. 1,600 as grant-in-aid, while only Rs. 700 are being granted to the Palandari High School which is meant for the zamindars who are called the backbone of the Government and who contribute a lot to the treasury of the Jagir. The teachers who are considered as unfit for the Poonch High School are sent over to the Palandari High School.

(*e*) If the reply to the above questions be in the affirmative, will the Wazir Poonch please make complete arrangements for the Palandari High School or will he entrust it to the Christian Missionary so that the sons of the zamindars may be benefited by education?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) The School was opened in the year 1989, subject to removal to Rawalkote later on whenever thought advisable and this was agreed to by those who had pressed for the opening of the said High School. It is because of the locality which lies in one corner of the Illaqa that the number of scholars has not increased. The number of the students is too

small to warrant the introduction of Science subject

(*b*) In view of the (*a*) above the question does not arise.

(*c*) and (*d*) The V. J. High School Poonch and Sri Jagetdev High School Palandari being Government Schools are wholly run by the Administration. The question of grant-in-aid does not arise. The statement that the teachers who are considered unfit for the Poonch High School, are sent to the Palandari High School is incorrect.

(*e*) In view of the above the question does not arise.

SUBEDAR KHAN MOHAMMED KHAN : A sum of Rs. 1,600 is spent monthly on the Poonch High School whereas only Rs. 700 are spent monthly on the Palandari High School?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You first frame your question and then ask so that answer may be given to you.

SUBEDAR KHAN MOHAMMED KHAN : Sir my submission is that Rs. 1,600 are spent monthly for the State school at the Poonch Head Quarters while Rs. 700 monthly for the one which is meant for the zamindars. We are crying for the increase in the grant since last ten years but we are at a loss to find that our repeated requests are remaining unattended to. What are the reasons for this differentiation.

WAZIR FEROZ CHAND (Wazir Poonch) : The Poonch school is being run for the last 30 years and a larger number of boys receive education in that school while the Palandari school is only five or seven years' standing and is attended by only two or three boys. The Poonch school is situated in a central place whereas the Palandari school is in a corner. When the Palandari school will be shifted to Rawalkote its condition will improve.

SUBEDAR KHAN MOHAMMED KHAN : Sir, I have another question to put. When there is an urgent need of money the Palandari and we (interrupted).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You submit a resolution for this purpose.

SUBEDAR KHAN MOHAMMED KHAN : Sir, Wazir Sahib always says "no" in reply to our questions and when we ask supplementary questions we are not permitted to do so. How then can our difficulties be removed?

254. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact that a large number of military soldiers who can be available on very low pays like those of the village school masters, and is it also a fact that Drill masters are required for the Middle schools Dherkot, Bagh, Rawalkot and for Palandari High Schools?

If the reply to the above be in the affirmative, will the Wazir Poonch oblige the public by considering the scheme of Military Drill Masters?

WAZIR FEROZ CHAND (Wazir Poonch) : Applications for posts are considered on their merits in the interests of Administration. The scheme of providing Drill Masters for these Schools will be taken up as soon as funds permit.

SUBEDAR KHAN MOHAMMED KHAN : After how much time it is expected that financial condition will permit it?

NOTE.—No reply was allowed.

255. SUBEDAR KHAN MOHAMMED KHAN : Did Faqir Mohammed Khan Compounder of village Sehra, Tehsil Sidhnoti apply for the post of a Veterinary Compounder and was any assurance given that the matter would be considered at the time of the next budget?

If the reply be in the affirmative, will Faqir Mohammed Khan be recruited as a Compounder for saving the lives of sacred animals like cows and bulls? If not, the reasons for it may be stated?

WAZIR FEROZ CHAND : Yes, but there being no vacancy, he could not be taken in service. The Veterinary Dispensary is run by a qualified Veterinary Assistant and a compounder under him.

In view of the above the last portion of the question does not arise.

SUBEDAR KHAN MOHAMMED KHAN : Does Veterinary Hospital, that has been opened, treat the village animals as well?

WAZIR FEROZ CHAND : Yes; while on tour, the Veterinary Doctor goes to the villages as well.

SUBEDAR KHAN MOHAMMED KHAN : No sir, he never goes on tour.

NOTE.—No reply was given.

256. SUBEDAR KHAN MOHAMMED KHAN : It is found that the Foresters and the Forest Guards, at the time of granting trees to the zamindars receive as remuneration Re. 1 and 0-8-0 per tree respectively in addition to their price and it is only then that the trees are marked. If any zamindar refuses to pay, no trees are given to him and if any trees are given there are quite inferior ones which are not useful to the zamindars. If the reply be in the affirmative, will some arrangements be made for removing this complaint.

WAZIR FEROZ CHAND : Action can be taken, if any particular case is brought to notice.

SUBEDAR KHAN MOHAMMED KHAN : It is characteristic that when the Foresters and the Guards go to forests to give possession of trees to the zamindars, the Foresters and Guards do not even mark the trees unless they are paid by the zamindars one rupee, and eight annas, respectively?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It has been replied that the culprit will be properly punished provided you bring some case.

257. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Are Government aware that when a seller presents a sale-deed to the Court of the Registrar it goes to the Moharrir and unless he is bribed, he does not present it to the Registrar and if he is not bribed raises out such an objection as would put the seller in a great difficulty?

(*b*) The seller is not informed for years together even when the sale-deed is accepted. He presents himself in the Court of the Registrar time and again but so long as he does not bribe handsomely he cannot get the sale-deed.

(*c*) The Registrar should receive the sale-deed personally and when accepted he should fix a date and inform the seller and should hand the deed over to the seller personally.

Are Government prepared to put an end to this trouble? If not, why not?

PANDIT RAM NATH SHARMA (Judicial Secretary) : (*a*) No case of bribery relating to Moharrirs of Registrars' office has been brought to the notice of the Judicial Minister.

(*b*) The Judicial Minister is not aware of the facts mentioned in this part of the question.

(*c*) The Registrars have instructions (*vide* the copy of the Circular Order furnished with the reply) to receive deeds for registration and to arrange for registration on the same day. Postponements are not ordinarily to be allowed. If breaches of this rule are brought to the notice of the Judicial Minister he will certainly take steps to remedy the evil.

MIRZA MOHAMMED AFZAL BEG : Does not the Minister concerned inquire, after the question is received by him? The reply given is, that the Hon'ble Judicial Minister does not know? Has any inquiry been made and does not he know inspite of the inquiry that has been made?

PANDIT RAM NATH SHARMA : Inquiries have been made, and it has been found that no such complaint was received at all ; either in the subordinate courts or in the High Court.

HIGH COURT OF JUDICATURE, JAMMU AND KASHMIR.

CICULAR NO. 66.

Dated 3rd August 1934.

Attention of all registering officers is drawn to the provisions of Section 36 of the Registration Regulation and they are warned not to act as a court in regard to the summoning of witnesses and parties to a document presented to them for registration. It is the business of any one who desires registration to carry out the rules of registration.

When a deed is produced for registration it must be com-

plete in itself otherwise it should be returned without registration. It is the duty of a person presenting a document for registration to produce the other party if necessary, and satisfy the registering officer that the State subject's certificate is attached with the deed, if this is not done, registration should be refused and in no case should a summons be issued.

For instance a deed of sale is brought by the Vendor. It is the duty of the Vendor to produce the Vendee, if necessary, and satisfy the registering officer that the Vendee is a State-subject. It is not the duty of registering officer to go running after the Vendee.

On the other hand suppose the purchaser or person claiming under the deed produces the deed. Then also, unless he himself says that the Vendor or executant refuses registration and compulsory registration is desired, no summons should be issued to the Vendor or executant. It would be the duty of the purchaser to produce the Vendor and obtain his consent to the registration. Every purchaser ought to know that a State-subject certificate would be necessary from him. It is the duty of the purchaser to obtain the certificate before he makes a purchase.

Whenever it is absolutely necessary to issue a summons, it should be issued in accordance with the provisions of Section 36 and 37 of the Registration Regulation and in no case a postponement of more than 2 weeks shall be granted. It shall be the duty of the person at whose instance a summons is issued to secure the due service of the summons.

It is hoped that the public also will take warning and act according to the above instructions.

258. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Is it a fact that the late Raja Baldev Singh Sahib sanctioned an annual grant of Rs. 1,500 for the welfare of the children of those soldiers who were either killed or disabled in the war and assured that grant would be increased when so required?

(*b*) Is it also a fact that this grant was reduced by Rs. 500 with the result that the scholarships of many deserving boys were stopped? If the reply be in the affirmative, will the Wazir Poonch please make up this deficiency in the grant? If not why not?

WAZIR FEROZ CHAND : (*a*) Yes.

(*b*) Yes, the Chief Educational Officer in his Budget proposals of 1991-92 had proposed that the grant under "Military Scholarships" be reduced from Rs. 1,560 to Rs. 600 as the expenditure under this Sub-Head never exceeded Rs. 400 a year, but considering the importance of the Scheme the reduction was not made to the extent proposed by the Chief Educational Officer. Even now the actual expenditure under this Head is less than that provided in the Budget.

SUBEDAR KHAN MOHAMMED KHAN : If it is proved that there are many students who deserve scholarships then will this sum be enhanced?

WAZIR FEROZ CHAND : Yes, the sum will be increased.

259. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Is it a fact that the Illaqa of Poonch is a hilly Illaqa where there are many big streams and Naullas and the means of communication are very difficult? There is only one Inspector of Schools who cannot pay visits to the schools regularly and at the appointed time on the occasions of the quarterly, half yearly and the third quarterly examinations so that there is no control over the village schools with the result that the condition of the Primary schools is deteriorating?

(*b*) If the reply to the above be in the affirmative, will the Wazir Poonch improve the condition of the village schools by appointing one more Inspector of schools? If not, the reasons for it may be stated?

WAZIR FEROZ CHAND : (*a*) *1st part*.—Yes.

2nd part.—The Inspector generally remains on tour and inspects the village schools. These schools are also inspected by the Chief Educational Officer annually and full control is exercised over the working of the village schools.

(*b*) In view of (*a*) above the question does not arise.

SUBEDAR KHAN MOHAMMED KHAN : If it is proved that the first quarterly, 2nd quarterly and 3rd quarterly examinations do not take place at the right time, will then this discrepancy be set right?

WAZIR FEROZ CHAND : Yes.

260. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact that there is only one teacher in most of the primary schools each having from 70 to 80 students on its rolls, and that one teacher can in no case be sufficient for five classes? If the reply be in the affirmative, is the Wazir Poonch prepared to remove this defect. If not, why not?

WAZIR FEROZ CHAND : Yes, the question of appointing additional teachers will be considered when finances permit.

SUBEDAR KHAN MOHAMMED KHAN : Where there are almost one hundred students in a village school there is only one teacher to teach them all, this results in a great loss? Will then, instead of one teacher, two teachers be appointed in such schools?

WAZIR FEROZ CHAND : It will be done when our Budget permits it.

261. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact that Subedar Sher Khan and Sardar Alam Sher Khan submitted an application to the Wazir Poonch that the Primary School Mang should be provided with one Matriculate teacher and the Wazir gave an assurance that a teacher would be given in the next budget?

Is it also a fact that the zamindars of Mang had employed a

teacher on their own expenses but when after one year they could not meet the expenses, they turned him out? If the reply be in the affirmative, will a Matriculate teacher be given to the Primary school Mang? If not, the reasons for it may be stated?

WAZIR FEROZ CHAND : Yes, the Wazir had promised to consider the question at the time of the Budget. The Administration has no knowledge of the appointment of any teacher by the zamindars on their own expenses. Under rules the English subject is not taught in the village Primary Schools, and as such appointment of a Matriculate in the Mang Primary School is not necessary. However, Matrics are now being generally appointed in all the Primary Schools.

SUBEDAR KHAN MOHAMMED KHAN : There is a rivulet in between this school. Did you promise an extra teacher for this school.

WAZIR FEROZ CHAND : It has been replied.

262. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact that the Jat Gujjar Conference and Sadhan Educational Conference unanimously adopted on the occasion of their anniversaries that the attention of the Government should be invited to make the Primary education compulsory?

If the reply to this be in the affirmative, will the Wazir Poonch please, taking into consideration the unanimous voice of the public take steps for making the Primary education compulsory? If not, the reasons may kindly be stated?

WAZIR FEROZ CHAND : Yes. It is premature to consider this question at this stage.

SUBEDAR KHAN MOHAMMED KHAN : I cannot understand what you mean by premature?

WAZIR FEROZ CHAND : It has not been adopted even in Municipal areas so far, how can it be done in the *mufussil* Illaqas? Therefore, it is premature.

263. SUBEDAR KHAN MOHAMMED KHAN : Is it a fact that the zamindars of Illaqa Dherkot, Tehsil contributed a sum of Rs. 500 and completed the building of the Middle school Dherkot, but inspite of so much sacrifice the Government have not so far provided this school with adequate establishment? If the reply be in the affirmative, it may be stated as to when will this Middle school be completed?

WAZIR FEROZ CHAND : Two more teachers have since been provided in the Dherkot Middle School.

264. MAJOR MIRZA ATTA MOHAMMED KHAN : (*vide question No. 894 Q. D. No. 710 dated 20th Assuj 1993 Srinagar Session*). (*a*) Will the Hon'ble Revenue Minister please state whether the estimate of the main road leading from Thana to Shopian and

the Poonch boundary has been prepared by the Poonch Government.

(*b*) If the answer to Part (*a*) be in the affirmative, then what is the amount of the estimate prepared by Poonch Jagir?

(*c*) Will it please be stated whether any provision has been made in the next year's budget of the Poonch Illaqa for the main road leading from Thana Mandi (Tehsil Rajouri) to Shopian situated in Kashmir? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN I: (*a*) No, this portion of the road remains closed for the winter season and passes through a corner of the Poonch Boundary and is not generally used by the Poonch travellers.

(*b*) In view of (*a*) above the question does not arise.

(*c*) No provision has been made in the next year's Budget, but the road in question is got repaired out of the Cooly Corps Cess whenever such a necessity arises. During the last settlement the zamindars of the village concerned were exempted from payment of Tirni Tax in lieu of their repairing and constructing small katcha bridge over Nallahs.

MAJOR MIRZA ATTA MOHAMMED KHAN : When the Kashmir Government have taken up the construction of their road, will you also begin construction of your own portion of road, and repair of bridges etc.?

WAZIR FEROZ CHAND : The method that is already in vogue shall be followed.

MAJOR MIRZA ATTA MOHAMMED KHAN : This way, there is no chance for the road being in order? Is not construction of roads your duty?

WAZIR FEROZ CHAND : The money that is obtained from the Cooly Corps Cess is spent on the repair of this road.

MAJOR MIRZA ATTA MOHAMMED KHAN : Will money be set apart in the budget?

NOTE.—No reply was given.

265. MAJOR MIRZA ATTA MOHAMMED KHAN : (*vide question No. 894 Q. D. No. 710 dated 20th Assuj 1993 Srinagar Session*). (*a*) Has the Government made any provision in the next year's budget for construction of a main road leading from Thana Mandi (Tehsil Rajouri) to Shopian? If not, why?

(*b*) Will the road be constructed under the supervision of the Public Works Department? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) A provision for such a work in the Budget is made only when the project is sanctioned. This project has not been taken in hand as yet.

(*b*) This question does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN : Question 264 and

265 are one and the same. What I want to ask is, whether money will be allotted for the construction of Thana or Shopian Road in this budget. In reply to a question of mine the Hon'ble Revenue Minister promised that a sum of Rs. 1,300 will be set apart for this work. Why then it is not set apart?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : (Addressing the Hon'ble Home Minister) Is there any contradiction between the reply given by your predecessor before, and the reply given now?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : He is talking about the Hon'ble Revenue Minister Sir, and not about me?

MAJOR MIRZA ATTA MOHAMMED KHAN : Why my question is not being answered?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The answer is the same that has been given. No better answer can be given.

266. MAJOR MIRZA ATTA MOHAMMED KHAN : (*a*) Does the Government know that the resolution regarding the leaves of the mulberry trees was accepted in the Srinagar Session dated 20th Assuj 1993 corresponding to October 2, 1936?

(*b*) If the answer to part (*a*) be in the affirmative, then was this resolution published in the Gazette? If not, why?

(*c*) Has the price of those mulberry trees whose leaves are being used by the Sericulture Department been paid to the zamindars? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes, Government accepted the principle of the Resolution and directed that proposals to carry out the principle should be submitted for orders. After careful consideration and examination of the case in all its aspects a proposal has been prepared which will be laid before the House in the ensuing Session.

In view of answer to (*a*) above, (*b*) and (*c*) do not arise.

MIRZA MOHAMMED AFZAL BEG : That session is over.

267. MAJOR MIRZA ATTA MOHAMMED KHAN : *Vide Question* 352 *Q. D. No.* 38 *Jammu Session Dated 25th March* 1936/ *Chet* 1992 (*a*) Will the Hon'ble Home Minister please state reasons for not appointing an Arabic teacher in Middle school Rajouri so far?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : An Arabic teacher has since been appointed in the Middle School, Rajouri.

268. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide Q. D. No.* 401 *dated 28th October Srinagar Session and Q.* 515 *dated March* 1936) Will the Hon'ble Revenue Minister looking into the question referred to and after making an enquiry equalise the chowkidara circles and thus remove the difficulties of the people?

If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : No. Area is only one of the considerations which have to be taken into account in fixing circles.

MAJOR MIRZA ATTA MOHAMMED KHAN : The question that was asked about the Chowkidars has not been answered. Cannot the division of the Chowkidars be equalized circle-wise? From some houses -/4/- and from others -/8/-, and from others -/12/- and from others Re. 1 is charged as 'Chowkidara'. The question is that inquiries may be made in this connection. In order to remove this difficulty of the public, all these circles may be made equal.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : (Addressing the Governor) Your reply is complete, but he has not understood it. Will you please explain it to him?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : There are Illaqas that are wide in area but thin in population; therefore they have to pay more of the 'Chowkidara'. But in Illaqas where the population is more compact, the people have to pay a lesser amount of this 'Chowkidara' per head.

MAJOR MIRZA ATTA MOHAMMED : Does the Hon'ble Revenue Minister know that in some circles there are only three villages whereas in other circles there are eight villages?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : The Chowkidars fix the circle with regard to area and population.

MAJOR MIRZA ATTA MOHAMMED KHAN : Cannot enquiry be made in this connection and some better way found out?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : No better system can be established than the system already in vogue.

269. MAJOR MIRZA ATTA MOHAMMED KHAN : (*a*) Does the Government know that during the agitation Thakur Rao Rattan Singh Jamwal, Wazir Wazarat, son of Raja Ram Singh was deputed in Tehsil Rajouri District Mirpur in order to maintain peace and order?

(*b*) Does the Government know that the said officer by being impartial and by his great efforts established peace and order in a very short time amongst the Hindus and Muslims.

(*c*) Does the Government have any regard for these services of his?

(*d*) If the answer to part (*c*) is not in the negative and is in the affirmative then it may please be stated what awards have so far been made to him for his meritorious services. If not, why?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) A good servant does not look for special rewards for doing his duty.

270. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide Q. 499 Q. D. No. 676 Srinagar Session dated 20th October* 1936) (*a*) Will the Hon'ble Revenue Minister looking into the question referred to say why no repairs have been made to the Nehri Land agricultural Kuhl in Tehsil Rajouri so far?

(*b*) Does the Hon'ble Revenue Minister know that the Wazarat Overseer has finished the survey and examination of the said Kuhl since long.

(*c*) Will the Hon'ble Revenue Minister remove the hardship of the people by getting the Kuhl constructed. If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) All zamindari kuhls in Tehsil Rajouri are reported to be in good condition and working satisfactorily.

(*b*) Does not arise.

(*c*) Does not arise. However, when a request by the zamindars for help is received, necessary steps will, as promised, be taken to help them by Hallasheri or to give them financial assistance.

MAJOR MIRZA ATTA MOHAMMED KHAN : Does the Hon'ble Revenue Minister know that two years earlier I presented a resolution regarding Rajouri canals, but was asked by Mr. Mehta to withdraw that resolution, as he (Mr. Mehta) would himself manage for it. No arrangement was made afterwards.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : This is no time for speech.

MAJOR MIRZA ATTA MOHAMMED KHAN : This is not speech, this is the preliminary question. This district has been surveyed long ago. The papers about it are lying in the Governor and Revenue Minister's Office, but no money has been provided for it. The present condition of the canals is not satisfactory. My question has not been replied. What is the use of putting questions, when they are not meant to be answered.

NOTE.—No answer was given.

271. MAJOR MIRZA ATTA MOHAMMED KHAN : (*a*) Does the Government know that Tehsil Rajouri is a hilly tract? It has not been provided educational facilities like other Tehsils of the plains and that there is one Vernacular Middle school which has been running for the last fifty years and that this school has only last year been recognized as Anglo-vernacular Middle School.

(*b*) Does the Government know that it is for this reason that the people of Rajouri are backward in education.

(*c*) Does the Government know that the school fees are realised from the zamindars along with the revenue?

(*d*) Does the Government know that on occasion of any war

the inhabitants of Rajouri has made very great contributions? During the great War, was the number of recruits that were supplied to the British Forces from Rajouri much greater than that from any other Tehsil?

(*e*) Does the Government know that the Education Department has not provided any special educational facilities so far to the people of Rajouri as compared with those granted to people of other places.

(*f*) Will the Government in lieu of these services start a high school there and remove the educational disability and poverty? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) Yes, but the case of Rajouri Tehsil is always kept in view while sanctioning new schools. This year too one Lower Middle School and one Primary School have been opened in this Tehsil.

(*b*) No, as there are already 2 Middle schools and 29 Primary schools in this Tehsil.

(*c*) No, but an education cess is realised from zamindars.

(*d*) Yes, they did render good services.

(*e*) Equal facilities in the matter of education are given to all Tehsils.

(*f*) The question of opening a High school at Rajouri is under consideration.

MAJOR MIRZA ATTA MOHAMMED KHAN : Is the problem regarding sanction of high schools under consideration?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Yes, it is under consideration.

272. MAJOR MIRZA ATTA MOHAMMED KHAN : (*Vide Q. 243 Q. D. No. 378 dated 28th October* 1935 *Srinagar Session*). (*a*) Will the Hon'ble Revenue Minister consider the questions and replies referred to and say whether the Government has recognized the necessity of constructing village roads, footpaths and bridges in return for the Sarkana that is realized along with revenue?

(*b*) Will it please be stated if two or three roads (*i. e.*, paths in the interior of the village) referred to in the list that was placed on the table of the House in reply to question No. 350 and which do not concern the zamindars were got built by them without making them any payment? Will the engaging of zamindars in the building of roads without payment be stopped in future?

(*c*) If the answer to part (*b*) be in the affirmative, then will in future a list be prepared of such interior roads and foot-paths which have to be constructed and money be provided for their construction and repairs. The list may please be placed on the table of the House.

(*d*) Does the Hon'ble Revenue Minister know that the people

of Tehsils Reasi and Rajouri of Reasi District are suffering great losses of life and property for want of bridges and roads in the villages? Will Hon'ble Revenue Minister provide funds for the upkeep and maintenance of roads and bridges? If the answer be in the negative, then will the Sarkana which is realized from the zamindars with the land revenue be stopped? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Necessity pointed out by the Hon'ble Praja Sabha Sad is already recognised as out of the Road Cess realisations large amounts are allotted annually for the repairs of the existing village roads and construction of new ones.

(*b*) and (*c*) The Praja Sabha Sad is referred to the reply of question No. 378 (*a*). If names of any inter-village roads are particularized further information can be given. The Praja Sabha Sad may please quote correct reference of question in reply to which a list of roads was placed on the table. Q. 350 referred to by him relates to a different matter.

(*d*) Government are already doing much in this behalf. In the current year's budget provision of Rs. 43,000 for construction of bridges over Nullah Ans and Tawi near Rajouri has been made. Funds for the up-keep and maintenance of roads and bridges are annually alloted. The question of stoppage of Sarkana does not arise.

MAJOR MIRZA ATTA MOHAMMED KHAN : Does the Hon'ble Revenue Minister know that the zamindars in villages are made to construct roads and pathways, free of cost?

I questioned whether extortion of work without wages will be put an end to, but I was given an answer that did not concern my question. I am presenting this case for the last four years.

NOTE.—No reply was given.

Reply to Q. D. No. 378 (*Third Session of October* 1935). (*a*) The Road Cess realized from zamindars is spent on improvement of inter village communications, which benefits them directly. Without good roads their produce would fetch lower price and absence of visitor from the area would stop flow of the money that visitors spend on labour and purchase of food-stuffs. It is the bye-paths within a village that are looked after by the zamindars without remuneration ; but all inter-village communications including bridges are paid for from the Road Cess.

(*b*) There is no such intention.

273. MAJOR MIRZA ATTA MOHAMMED KHAN : (*a*) Does the Government know that the three nallahs Plo, Angrah, Pirhi of Tehsil Reasi, Gulah Gush Division are very dangerous and that many lives are lost therein during the rainy season?

(*b*) Will Government construct bridges over these nallahs? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) No report either from the zamindars or the local Revenue Officers, has so far been received about the nallahs mentioned in the question being dangerous or loss of any life during the rainy season.

(*b*) The question of constructing bridges over nallahs etc. pertains to the Public Works Department.

MAJOR MIRZA ATTA MOHAMMED KHAN : Does the Hon'ble Revenue Minister know that a great loss is being occasioned due to absence of bridges? Will inquiry be made in this matter, and bridges constructed? If the revenue officials have been lax, how are the subjects to be blamed for it?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : If the subjects are suffering, they can report.

MAJOR MIRZA ATTA MOHAMMED KHAN : Am I not the representative of the public? I question whether the bridges will be constructed or not? There is no fault of the public?

MIRZA MOHAMMED AFZAL BEG : Has the report been called for Sir?

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : Yes.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : A report will be asked for.

MIRZA MOHAMMED AFZAL BEG : The Hon'ble Revenue Minister says that a report has been called for, whereas the Governor says that it will be asked for.

274. MAJOR MIRZA ATTA MOHAMMED KHAN : (*a*) Will Government please state whether Rs. 1,200 per annum have been fixed for the repairs of the Salani-Nandi Marag road situated in Tehsil Reasi? Will it please be stated why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes; The road is 80 miles long and passes through hilly tract. The amount is hardly adequate.

(*b*) No, the unsatisfactory condition of the road is mainly due to inadequacy of funds.

(*c*) The proposal will be examined.

MAJOR MIRZA ATTA MOHAMMED KHAN : Will roads be repaired in future through the Public Works Department, failing the revenue officials who cannot manage to do it for themselves?

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : The matter will be considered.

275. MIAN QURBAN AHMED : (*a*) Is it a fact that during the days of Sikh agitation in Ranbirsinghpura Hans Raj Patwari was transferred to Reasi on the basis of some complaint?

(*b*) Did he report himself at Reasi? If the answer be in the negative, what is the reason that Assistant Governor who was a

special officer appointed him temporarily for a year in the grade of 20-1-25 under him in the event of his not reporting at Reasi?

(*c*) Is it also a fact that after one year's temporary arrangement he was appointed Siahnavis in Tehsil Hiranagar and when he did not present himself there he was permanently appointed Office Kanungo in Tehsil Jammu on forty-four rupees a month?

(*d*) Will the Hon'ble Revenue Minister kindly state the reasons for changes in transfers and salary in the course of one month?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) No. Hans Raj Patwari was not transferred from Ranbirsinghpura on account of any complaints against him in connection with the Sikh Agitation.

(*b*) He did not join at Reasi as he was not relieved from Ranbirsinghpura by his successor when he was appointed a clerk in the Special Land Acquisition Officer's office at Rs. 36 (consolidated) which was the pay sanctioned for this post. The Assistant Governor or the Land Acquisition Officer have no power of appointment.

(*c*) Yes, he was appointed Siahnavis of Hiranagar Tehsil but he had not been relieved when to clear off the accumulated arrears of work and in the interest of administration, he was appointed officiating Office Qanungo in the Jammu Tehsil on the special recommendation of the Wazir Wazarat Jammu.

(*d*) These changes were made in the interest of administration.

276. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Home Minister kindly state the number of clerks and peons in the traffic Superintendent's Office under Inspector General of Police? How many of them are Muslims and how many non-Muslims?

(*b*) How many posts fell vacant in this office after the acceptance of the Glancy Commission recommendations by His Highness the Maharaja Bahadur and how many of them were filled by Muslims? Is the Hon'ble Home Minister prepared to make up this deficiency? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) There are two clerks in the Traffic Superintendent's office—one is a Muslim and the other a non-Muslim. There are two peons both of whom are non-Muslims.

(*b*) One vacancy of clerk occurred in the year 1990 and was filled by a Muslim. Another vacancy occurred in 1993, and was filled by the promotion of a non-Muslim from a lower grade. Every effort is made to increase the number of Muslim clerks.

MIAN QURBAN AHMED : The copy of the reply read by the Hon'ble Home Minister is not on my table.

MIRZA MOHAMMED AFZAL BEG : It is not worth a reply.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The copy of the reply with me is not the same as read by the Hon'ble Home Minister. However you will be supplied with the revised copy.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Yes Sir, I have read a different reply.

277. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Home Minister kindly state the number of clerks and peons in the offices of the Senior Superintendent of Police, Jammu and Srinagar? How many of them are Muslims and how many non-Muslims?

(*b*) Is it a fact that the number of Traffic and Police Inspectors is twelve and out of these three are Muslims? The number of Sub-Inspectors is forty-three and thirteen among them are Muslims? The number of Assistant Sub-Inspectors is thirteen and among them three are Muslims? The number of Head Constables first grade is forty-eight and out of them only ten are Muslims? The number of second grade Head Constables is sixty and out of them only twenty-four are Muslims? The number of third grade Head Constables is 93 and out of these 39 are only Muslims? Were in the days of Mr. Lather these posts divided half and half?

(*c*) Will the Hon'ble Home Minister state the reasons of this great deficiency and also state that why inspite of so much hue and cry and Glancy Commission recommendations accepted by His Highness the Maharaja Bahadur no consideration has been given to this?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) :

(*a*).—

		Muslims.	Non-muslims.
Clerks	...	6	24
Peons	...	4	4

(*b*) The figures given are incorrect.
The question is not clear.

(*c*) Does not arise in view of reply to (*b*) above.

278. MIAN QURBAN AHMED : (*a*) Is it a fact that both Pt. Kanshi Ram and Arjan Singh, Sub-Inspectors cannot write due to being disabled by disease and is it also a fact that Thakur Dhuruv Singh, Wazir-i-Wazarat Kathua has remarked that Pt. Kanshi Ram is unfit for work?

(*b*) What are the reasons of giving twenty rupees increment to each of the two Sub-Inspectors and promoting them to the rank of Prosecutors when on account of the disease they are unfit to

work and write? If the reply to the above be in the negative, is the Hon'ble Home Minister prepared to read in the House any documents written in their own hands during the last two years? If not, why?

(*c*) Are the following Police Constables unfit for service :—

Prem Chand, Roomal Singh, Santok Singh, Gian Singh, Durga Singh, Nihal Singh, Baldev Singh, Barkat Rai, Girdhari Singh, Ram Ditta, Bihari Lal, Resham Singh, Chur Singh, Lok Singh?

Did the late Senior Superintendent of Police interview them at the time of their selection? If the reply be in the negative, will the Hon'ble Home Minister state that why the writing of the paper 'Jamhur' of 1st March 1937 proving their inefficiency were not contradicted?

(*d*) Is the Hon'ble Home Minister prepared to inquire into the above questions, if not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) No.

(*b*) Does not arise.

(*c*) Unless constabulary numbers of the constables are furnished it is not possible to give the reply.

(*d*) Does not arise.

279. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Home Minister kindly state whether two daughters of Bhagtu Megh of Bhidhar, Thana Minawar were abducted? And when Bhagtu went to report the matter in the Thana Hari Singh, Sub-Inspector refused to take down his verbal report? When through the medium of newspapers this matter was brought to the notice of higher officers these officers entrusted the case to the Wazir-i-Wazarat and Tehsildar, who after due investigation found the matter to be true?

(*b*) Is it also a fact that three Muslim Lambardars and Ahmed Din Patwari were suspended in this connection and their dismissal was recommended to the concerned higher authorities? Complaint against the dishonesty and inefficiency of Hari Singh, Sub-Inspector was lodged before the District Magistrate on 3rd Maghar 1991 and it was requested that the intention of Inspector General of Police be drawn towards the dismissal of the Sub-Inspector?

(*c*) Were all the four Muslims dismissed from service and no action was taken against Hari Singh?

(*d*) Will the Hon'ble Home Minister state the reasons for hushing up this matter. Is he prepared to take any action in this matter? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) Yes. The two daughters of Bhagtu Megh were

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kidnapped. The two cases occured separately. In one case the accused were convicted and in the other, the case was found to have been committed in British Indian territory. It was not proved that Sub-Inspector Hari Singh refused to take down the verbal report of Bhagtu. Inquiry into the allegations against the Sub-Inspector was entrusted to the Tehsildar, as a result of which the District Magistrate asked that the Sub-Inspector should be directed to co-operate with the local Revenue Officers. A bad entry was made in his Character Roll and no further action was taken.

(*b*) The action taken against the Lambardar and the Patwari is not known to the Police Department nor is it known if any complaint against Sub-Inspector Hari Singh was lodged in the District Magistrate's court on 3rd Maghar 1991.

(*c*) See above.

(*d*) Does not arise.

280. MIAN QURBAN AHMED : (*a*) Is it a fact that Dewan Chand, first grade Head Constable when he was in-charge of Thana Kotli marked presence of the Chowkidar of Bhinut though he was absent for six months and also made entries of deaths and births of his circle in Death and Birth Register on the very same day in the month of Katik 1991,when this case was brought to the notice of higher authorities A. S. P. Mirpur made an inquiry and sent the papers to the Head office for his punishment?

(*b*) Is it also a fact that during the investigation of the case No. 35 of 1991-92 under Section 457 Santu Faqir Arya of village Sohalki, Thana Dharamsal telegraphically lodged this complaint before Inspector General of Police and Senior Superintendent of Police that his wife has died as a result of Sub-Inspectors' coercion and that he took bribe from him and kept him in unlawful confinement? This matter was inquired into by A. S. P. Mirpur who recommended the dismissal of the said Sub-Inspector. The Superintendent of Police, Mirpur, recommended that he should be degraded to the post of Head Constable?

(*c*) If the reply to the above questions be in the affirmative, will the Hon'ble Home Minister kindly state that what action was taken on these two recommendations? If no action has been taken why so? Is the Hon'ble Minister now prepared to take any action in this matter? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) The conduct of Head Constable Diwan Chand was inquired into by the Assistant Superintendent of Police, Khuiratta. The Superintendent of Police after taking the explanation of the Head Constable filed the papers with the remark that it was too late to take any action in the matter.

(*b*) The Assistant Superintendent of Police did not demand the dismissal of the Sub-Inspector. He recommended an award

of censure, with which higher officers agreed. The allegations of wrongful confinement, bribery etc., were found to be baseless, but it was found that the Sub-Inspector acted in an inconsiderate manner in summoning Mst. Tulso to the Police Station when she was ill.

(*c*) Does not arise.

281. MIAN QURBAN AHMED : Is it a fact that Tehsildar Ramnagar made many complaints in the Head Office about the concealment of facts against Bakhshi Ram Nath and at last having no other way he wrote a docket to the Sub-Inspector on 22nd Maghar 1991 asking him to take action on certain eight cases of house breaking? The docket was entered into the Diary but no action was taken.

(*b*) Is it also a fact that in the month of Maghar 1990, there occurred a case of dacoity in the house of one Said of Illaqa Jabri Thana Kotli and Bodh Raj, Sub-Inspector recorded it as a case not having occurred. But after the transfer of the said Sub-Inspector his successor discovered the facts that this offence was actually committed and challaned the guilty persons in the court at Kotli. The court admitted that the offence was committed but for want of timely action and the case being weak acquitted the accused persons?

(*c*) Is it also a fact that in the year 1992 the staff under Nau Nihal, Sub-Inspector being extremely annoyed submitted so many complaints against him telegraphically. Assistant Superintendent of Police, Mirpur inquired into the matter and after compiling a detailed report recommended his dismissal? Did Nau Nihal, Sub-Inspector in case No. 32 of 1992 under Section 457 held the brother-in-law of Haria Chumar of the village Channi, Thana Dharmsal, as suspect and coerced him bitterly and while the coercion was going on the suspect disappeared. His heirs raised hue and cry before the higher authorities, A. S. P. Mirpur, held an inquiry which proved that the suspect had been concealed by the said Sub-Inspector. But no action was taken against him, although the whereabouts of the suspect are still unknown?

(*d*) If the answer to the above question be in the affirmative, will the Hon'ble Home Minister kindly state that what was the result of both of these inquiries and inspite of its publication in the 'Jamhur' newspaper of the 20th March, 1937 why no action was taken in the matter? What was done to find out the suspect? And if nothing has been done why so? Is the Hon'ble Home Minister prepared to take some action now, and if no, why not?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : It is a fact that the Tehsildar, Ramnagar, wrote to the Police station in Maghar 1991 with regard to eight cases of burglary. Sub-Inspector Amar Nath was then in charge. There is no such

Officer as Bakhshi Ram Nath. Five cases of burglary were registered. One was challaned and convicted, and the other four remained untraced. Of the remaining three cases the complainants in two of them denied that a burglary had taken place, and in the third, the complainant had permanently left the State. No action was taken as the Sub-Inspector was not found at fault.

(*b*) The facts stated are true, but no action was taken against the Sub-Inspector as it was held that he had been misled by the complainant who exaggerated the facts of the case and wrongly identified the accused thereby raising the presumption that the case was false.

(*c*) The Assistant Superintendent of Police did not recommend the dismissal of Sub-Inspector Nau Nihal. He found that he was inefficient and a bad entry was made in his character roll. It is true that Sub-Inspector Nau Nihal inquired into a burglary case in which the brother-in-law of Haria Chumar was suspected, but there was nothing whatever to show that the Sub-Inspector was responsible for his disappearance, and in fact the complainant admitted before the inquiring officer that his application was false.

(*d*) No action was taken because the officers were not found at fault. In any case action is not taken on newspaper reports as these are almost invariably incorrect.

282. Withdrawn.

283. MIAN QURBAN AHMED : (*a*) Is it a fact that Tirloka Chowkidar of village Bal Thana Dharmsal complained that Phami Chand incharge Thana has taken Rs. 40 as bribe from him? And is it also a fact that one Brahman named Balak Ram of village Narla also complained about Rs. 150 taken as bribe by the same Sub-Inspector?

Did the Inspector of that circle inquired into the matter and found it true?

(*b*) And is it also a fact that when in the days of disturbances Phami Chand was incharge of Kotli Thana in a case a murder was committed in the course of a dacoity and an accused named Jalal Khan, Lambardar of Panjera who had been brought before the court for remand complained before the court that the Sub-Inspector had taken one hundred rupees from him as bribe and on account of this complaint the Sub-Inspector returned Rs. 85 to the accused while in custody in the presence of Dewan Chand and Abdul Rashid, Head Constables? And then A. S. P., Thana Kotli took that money of the accused?

(*c*) Is it also a fact that Sub-Inspector complained of the inefficiency of Balwant Singh, Constable of Thana Minawar but D. S. P., Mirpur despite such complaints gave promotion to the Head Constable and transferred him?

(*d*) Is it also a fact that in the case No. 8 of 1991-92 of Thana

Minawar Hussain Gujar of the village Anantpura *V*. Mama etc., under sections 366/457 and 147 the complainant gave the first information report to Har Singh, Sub-Inspector but he took no action on it. Being thus disappointed the applicant lodged complaint in the court of A. D. M., and also complained against Police for not taking the proper action. The copy of the complaint was sent to the D. S. P. Mirpur for investigation and wrote therein that the complainant has complaint against the Sub-Inspector therefore some other officer should be appointed for investigation. There a Head Constable was appointed to investigate the matter. Twelve accused were challaned and were punished. The Court made certain remarks against the Sub-Inspector and held him dishonest?

(*e*) If the reply to the above questions be in the affirmative, will the Hon'ble Home Minister kindly state that when the attention of the Hon'ble Minister was drawn towards it through the medium of newspaper 'Zamhur' of 31st April 1937 what action was taken on it? If no action was taken, why so? Is he prepared to take any action in this matter now? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) No information regarding this allegation is forthcoming.

(*b*) No. The case on inquiry was filed as not proved.

(*c*) No information is forthcoming.

(*d*) The case appears to concern the year 1990-91 Police papers on the subject have been destroyed. There has been no time to obtain a copy of the judgment.

284. MIAN QURBAN AHMED : (*a*) Is it a fact that the Head Constable who was on duty at Police post Domana in 1993 having reported himself as going to Jammu to bring Stationary reached back on 22/29th Poh 1993? Similarly Harisingh Maddad Moharrir, Thana Saddar was deputed on Government duty as reported in the Diary but it is not mentioned in the register where he was going on duty? Were both these persons hunting with the late Senior Superintendent of Police? Did anybody ask for explanation from them? If so what?

(*b*) Is it also a fact that Sham Lal Jalali, Reader to Senior Superintendent of Police (Sopore and Shopian Thanas) remained suspended on a charge of taking bribe from Sopore and Shopian Thanas? And was he transferred to Jammu Province on the basis of a note of the Inspector General of Police remarking that this Pandit was causing disturbances? Why despite these remarks and on what other grounds he was promoted to the post of an Inspector superseding the claims of a Muslim Sub-Inspector?

(*c*) Will the Hon'ble Home Minister investigate this matter and take necessary action? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) The question is unintelligible. It is not essential that particulars of duty should be mentioned in Daily Diary more especially when the duty is of a confidential nature. They were on duty with the Senior Superintendent of Police the nature of which cannot be disclosed.

(*b*) Yes.

(*ii*) No.

(*iii*) Because he was considered more suitable for promotion than the Muslim Sub-Inspector who was considered unfit for promotion.

(*c*) The supersession was allowed with the approval of the Hon'ble Home Minister.

285. MIAN QURBAN AHMED : (*a*) Is it a fact that in case No. 25 dated 10th Chet 1990, case No. 35 of 7th Jeth 1992 and case No. 38 of 24th Jeth 1992 of Thana Manawar a learned Judge of the High Court passed certain remarks about certain defects of Hari Singh, Sub-Inspector and recorded that he was unfit for service? Accordingly the copies of the said remarks were sent to the District Magistrate and Senior Superintendent of Police from where the copy was sent to the District Superintendent of Police, Mirpur under No. 4881, dated 10th July 1935.

(*b*) If the reply to the above questions be in the affirmative, will the Hon'ble Home Minister kindly state what has been the result of it uptil now? If no result came out of it, what is the reason for it? Is he prepared to take any action in this matter? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : The Hon'ble High Court passed general remarks against the working of Sub-Inspector Hari Singh, as a result of which a censure was recorded in his character roll.

286. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Revenue Minister please state from what time will the Wasidari of those Wasidars who have been given Nazool areas on ground rent without specifying the period, be considered to have commenced and will the old or new rules apply to them?

(*b*) The question of infringement of rules does not arise in the case of those Wasidars who acquired the areas under old rules without specifying the purpose of such acquisition in their applications. How can the Government be justified in charging the new rate in their case?

(*c*) Will the Hon'ble Revenue Minister please state why the ground rent is raised according to the new rules in the case of those Wasidars with whom the Government has made an agreement to the effect that the Government can take back the land if

required for Government purposes on six months' notice after payment of compensation?

(*d*) If such Wasidars are willing to return the land in case the ground rent is raised why are they not given compensation according to the agreement?

(*e*) Are Government justified in applying the new rules of Nazool contrary to the terms of agreement?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) From the date of possession. Such cases are treated as indefinite grants and are to be dealt with under the new rules.

(*b*) It is usual to mention the purpose in the original application. If the Praja Sabha Sad can quote a definite instance a definite reply can be given.

(*c*) There is no relation between charging ground rent and proceedings under the Land Acquisition Regulation.

(*d*) Compensation is to be paid in case of resumption of land and not in case of surrender by the Wasidar.

(*e*) No.

287. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Home Minister please state what was the No. of clerks, Inspectors and linemen in the Electrical Department in 1931 and what was the communal proportion ; what is the number and proportion at present?

(*b*) How many clerks, Inspectors and linemen have been recruited since 1931? How many of them are Muslims?

(*c*) If the recruitment made from the Muslim Community be found nominal then are Government prepared to divest Mr. Bose Chief Electrical Engineer of the powers of recruitment so that the appointment of the purely non-Muslims in this Department may be stopped?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) :

Reply (*a*).—

	1931.				1937.				Proportion of percentage. 1931.				Proportion of percentage. 1937.			
	Mohammedan.	Hindu.	Sikh.	Total.	Mohammedan.	Hindu.	Sikh.	Total.	Mohammedan.	Hindu.	Sikh.	Mohammedan.	Hindu.	Sikh.
(i) No. of clerks ...	1	61	...	62	7	57	1	65	2%	96%	...	10%	67·69%	2·31%
(ii) No. of Inspectors ...	1	3	...	4	2	3	...	5	25%	75%	...	40%	60%	...
(iii) No. of linemen ...	53	22	3	78	59	18	3	80	69%	28%	3%	74%	22%	4%

(*b*).—

	Recruitments made since 1931.					Proportion of percentage.			
	1931.			1937.		1931.			1937.
		Mohammedan.	Hindu.	Sikh.		Mohammedan.	Hindu.	Sikh.	
(*i*) Clerks	...	6	1	1	8	75%	12½%	12½%	
(*ii*) Inspectors	...	1	...	...	1	100%	...	...	
(*iii*) Linemen	...	14	3	...	17	82%	18%	...	

(*c*) The above figures will show that the recruitment of Muslims made since 1931 is in the case of items (*i*) and (*iii*) under (*b*) more than 75 per cent. and in the case of item (*ii*) is cent. per cent.

It is regretted that the Hon'ble Member should have drawn conclusions without looking at the facts.

MIRZA MOHAMMED AFZAL BEG: This is your department. (Laughter)

288. KHAWAJA ALI MOHAMMED : Will the Government please state as to when Mr. Bose joined the State service? What is his age at present and when he is due to retire?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Mr. Bose joined State service on 8th April 1904. His age is about 55 years and 4 months and he is due to retire on 20th Chet 1994.

KHAWAJA ALI MOHAMMED : Will extension be granted in his favour, even after this?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : This is not the time for it. It will be known afterwards.

289. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Revenue Minister please state as to what is the number of candidates at present for Tehsildarship and Naib-Tehsildarship in the approved list? How many of them are Muslims and how many non-Muslims?

(*b*) If the Muslim representation be deficient then is the Hon'ble Revenue Minister prepared to revise the old list in order to increase the Muslim representation.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : *1st part.*—No list of Tehsildari candidates is now maintained.

2nd part.— There are at present 31 Naib-Tehsildari candi-

dates.

3*rd part*.—16 Muslims and 15 Non-Muslims.

(*b*) Does not arise.

290. KHAWAJA ALI MOHAMMED : (*a*) Is the Hon'ble Home Minister aware of the fact that the Head Mistress Girls School Islamabad has passed the Middle Examination in Hindi and is unable to read or write in Urdu?

(*b*) Is the population of Muslims in Islamabad above 98 per cent.? If the answer be in the affirmative, then—

(*c*) Can a teachress who has passed the Middle Examination only in Hindi be suitable for teaching the Muslim girl students? If the answer be in the negative, then—

(*d*) Are Government prepared to appoint an Urdu trained Head Mistress in Islamabad?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) She can read and write Urdu. Has passed the following examinations in addition to Middle :—

(*i*) J. V. Standing first.

(*ii*) S. V. in 1st Division.

(*iii*) Hindi Proficiency, Bhushan.

(*b*) No, it comes to 84 per cent.

(*c*) The Department has to make arrangements for teaching Urdu and Hindi both. For teaching Urdu qualified teachers are appointed side by side with qualified Hindi teachers.

(*d*) The question does not arise.

KHAWAJA ALI MOHAMMED : What Urdu degree she is in possession?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : I don't know.

MIRZA MOHAMMED AFZAL BEG : When did she learn Urdu reading?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : I don't know even this.

SARDAR HARI SINGH : Which place is Islamabad?

MIRZA MOHAMMED AFZAL BEG : Anantnag.

SARDAR HARI SINGH : In Government papers, is it Anantnag or Islamabad?

MIRZA MOHAMMED AFZAL BEG : Both.

291. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Home Minister please state as to how many labourers daily employed are on the daily muster sheet of the Electrical Department Srinagar? How many of them are Muslims and how many Non-Muslims?

(*b*) What sorts of works are taken from those engaged as shown in the muster sheet? It may be stated in details?

(*c*) What are the daily wages per man engaged as shown in

the muster sheet. Name may please be stated in this connection?

(*d*) Are Muslim labourers paid -/7/- per diem while non-Muslims are generally paid from Rs. 1/4/- to Rs. 1/14/- per diem?

(*e*) What sort of work is entrusted to the labourers who are paid -/7/- and those who are paid Rs. 1/4/- to Rs. 1/14/- as their wages?

(*f*) Are the non-Muslim labourers receiving wages from Rs. 1/4/- to Rs. 1/14/- paid thus because they have no preference over the Muslim labourers and have no technical qualification except that they are generally the relations and the favourites of the officials of the Electrical Department?

(*g*) Are Government prepared to appoint an Enquiry Commission consisting of official and non-official members to investigate in this behalf?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) The average number of daily labourers employed per day in the Elect : Supply Centre Srinagar during 5/94 was :—

Muslims	...	49
Non-Muslims (Hindu and Sikhs)	...	35

(*b*) The labourers referred to in (*a*) above work as coolies, wiremen, carpenters, smiths, fitters etc.

(*c*) A statement showing the names and wages of the labourers engaged is attached herewith.

(*d*) Kindly see statement referred to in (*c*) above.

(*e*) Labourers working as coolies are being paid at -/7/- per day and those working as wiremen, smiths fitters, carpenters are getting different rates ranging from -/8/- to 1/11/- according to the craftsmanship.

(*f*) Uncalled for.

(*g*) There seems to be no necessity.

Statement showing the Average Daily labour employees working in Electrical Department (Muslims).

No.	Name.		Rank.		Rate. Rs.	a.	p.
1.	Ahadoo	...	Turner	...	1	11	0
2.	Subhana	...	Carpenter	...	1	5	0
3.	Salam Budoo	...	"	...	1	5	0
4.	Rosulla	...	"		1	5	0
5.	Shabana	...	Fitter	...	0	11	0
6.	Ahmadoo	...	"	...	0	11	0
7.	Sidiqa	...	Blacksmith	...	1	5	0
8.	Ramzana	...	Fitter	...	0	10	0

No.	Name.		Rank.		Rate.		
					Rs.	a.	p.
9.	Khazara	...	Head Cooly	...	0	8	0
10.	Ahad Dar	...	Sawyer	...	1	2	0
11.	Nabir But	...	Cooly	...	0	7	0
12.	Rahman Bagoni	...	Sawyer	...	1	2	0
13.	Kadir But	...	Wireman	...	1	5	0
14.	Ahad Wani	...	,,	...	0	9	0
15.	Muina Wani	...	,,	...	0	9	0
16.	Sultan Mir	...	,,	...	0	9	0
17.	Nabira	...	,,	...	0	8	0
18.	Saif-ud-Din	...	,,	...	0	8	0
19.	Ali fahtoo	...	Cooly	...	0	7	0
20.	Ghani But	...	,,	...	0	7	0
21.	Rahim Dar	...	,,	...	0	7	0
22.	Kadir But	...	,,	...	0	7	0
23.	Nabir But	...	,,	...	0	7	0
24.	Mohmad Mir	...	,,	...	0	7	0
25.	Sidiq But	...	,,	...	0	7	0
26.	Ramzan But	...	,,	...	0	7	0
27.	Nabir Rather	...	,,	...	0	7	0
28.	Ali But	...	,,	...	0	7	0
29.	Khaliq Gani	...	,,	...	0	7	0
30.	Mohmad But	...	,,	...	0	7	0
31.	Lala Rashoo	...	,,	...	0	7	0
32.	Samad Mir	...	,,	...	0	7	0
33.	Hassin Wani	...	,,	...	0	7	0
34.	Abdulla Mir	...	,,	...	0	7	0
35.	Sultan Khan	...	,,	...	0	7	0
36.	Kadir Sufi	...	,,	...	0	7	0
37.	Hussain Khan	...	,,	...	0	7	0
38.	Karim But	...	,,	...	0	7	0
39.	Jania Ahangar	...	,,	...	0	7	0
40.	Umar But	...	,,	...	0	7	0
41.	Wahab Lawai	...	,,	...	0	7	0
42.	Habib Ullah	...	,,	...	0	7	0
43.	Akhbara	...	,,	...	0	7	0
44.	Razakh Dar	...	,,	...	0	7	0
45.	Khaliq Mir	...	,,	...	0	7	0
46.	Aziz But	...	,,	...	0	7	0
47.	Khaliq But	...	,,	...	0	7	0
48.	Ghani But II	...	,,	...	0	7	0
49.	Sultan But	...	,,	...	0	7	0

Statement showing the Average Daily labour employees working in Electricol Department Srinagar (Non-Muslims).

No.	Name.		Rank.		Rate.		
					Rs.	a.	p.
1	Radha Kishen	...	Carpenter	...	1	2	0
2	Mana But	...	Fitter	...	0	15	0
3	Kashi Nath	...	Wireman	...	1	2	0
4	Amar Nath	...	,,	...	1	5	0
5	Radha Kishen	...	,,	...	1	5	0
6	Lachman Das	...	,,	...	1	5	0
7	Shamboo Nath	...	,,	...	0	13	0
8	Prasad Ram	...	,,	...	0	12	0
9	Jia Lal	...	,,	...	0	11	0
*10	.....		.....		.....		
11	Maheshar Nath	...	,,	...	0	10	0
12	Kashi Nath	...	,,	...	0	10	0
13	Jagar Nath	...	,,	...	0	10	0
14	Lachman Pandit	...	,,	...	0	9	0
15	Mahishar Nath	...	,,	...	0	9	0
16	Naranjan Nath Shalla		,,	...	0	9	0
17	Gobind Ram	...	,,	...	0	9	0
18	Shamboo Nath	...	,,	...	0	8	0
19	Janki Nath	...	,,	...	0	8	0
20	Sodershan	...	,,	...	0	8	0
21	Jagar Nath	...	Cooly	...	0	7	0
22	Vidh Lal	...	,,	...	0	7	0
23	Radha Kishen	...	,,	...	0	7	0
24	Prem Nath	...	,,	...	0	7	0
25	Prithvi Nath	...	,,	...	0	7	0
26	Ram Nath	...	,,	...	0	7	0
27	Ram Chand	...	,,	...	0	7	0
28	Nila Kanth	...	,,	...	0	7	0
29	L. Ram Nath	...	Wireman	...	1	4	0
30	Rup Singh	...	Turner	...	1	2	0
31	Bhikam Singh	...	Cooly	...	0	7	0
32	Pusha Singh	...	,,	...	0	7	0
33	Sucha Singh	...	,,	...	0	7	0
34	Bir Singh	...	,,	...	0	7	0
35	Jaghar Singh	...	,,	...	0	7	0

*Not entered.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : What about the pies? (Laughter)

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (After finishing his answer) Thank you very much.

KHAWAJA ALI MOHAMMED : Do all those persons work whose names have been mentioned?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : God knows ; whatever there was with me in writing, has been read out.

292. Withdrawn.

293. SARDAR MAL SINGH : Is it a fact that European visitors are not charged Customs duty on all postal parcels which come to them from outside the State while duty is charged from Indian visitors? If the answer be in the affirmative, then what are the reasons for such differential treatment? Are Government prepared to grant this concession to Indian visitors also?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Yes. This privilege was given before 1987 when the No. of European Visitors was small and there were very few shops which catered for their requirements locally. The need for such an exemption existed. The conditions have now changed and Government have accordingly ordered withdrawal of the extension from 1st March, 1938. The question of its extension to Indian visitors does not consequently arise.

294. SARDAR MAL SINGH : In 1993 on the occasion of budget I submitted a resolution that a sum of fifty thousand rupees be sanctioned in the current year's budget for protecting from the floods all such agricultural land that lies on the banks of the Woolar Lake. Hon'ble the Home Minister promised at that time that he would send for a report. Will Hon'ble Minister please state what is the report?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : According to Mr. Harris' Scheme for Flood Protection Works, no bunds can be made around the Woolar Lake as it will confine the Lake area, but if any particular village or locality is required to be protected, necessary action will be taken.

SARDAR MAL SINGH : I have also asked in my question, whether any scheme has been prepared to protect these lands from flood?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Don't know. Perhaps some thing has been said about the bund.

SARDAR MAL SINGH : There is no question of bund. What I submit is, whether you will consult the Public Works Department. or the Divisional Engineer, about the construction of a flood channel upto Sopore.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : I shall enquire.

295. SARDAR MAL SINGH : In reply to my question No. 24 dated 26th March 1936 of the Jammu Session (*Vide* question 24

of the Praja Sabha Debates Volume IV) Hon'ble the Home Minister stated that a scheme was under consideration of the Government in order to rescue visitors from floods in the Woolar Lake. Will Hon'ble Home Minister please state if that scheme has been completed? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Unless a special body of men under an enterprising leader were earmarked permanently for rescue work on the Woolar Lake any attempts at rescue work would be doomed to failure.

The casualities due to ship wreck on the Woolar Lake during the last few years hardly appear to justify the expense involved by preparing a scheme the cost of which is prohibitive. It seems to be admitted that, in the tragedy of last year, the teachers, who lost their lives took an unnecessary risk which would not have been taken by local boatmen.

Assuming that a permanent look-out was maintained on Baba Shukar-ud-Din hill and this look-out spotted a boat in distress, it would be necessary for the relief party and life boat to be stationed within easy reach of the look-out so that it might proceed at once to the rescue.

It is unlikely that local villagers on hearing or seeing an alarm signal from Baba Shukar-ud-Din hill would not atonce start off in their life boat to search for the boat in distress. It is more likely that each village would either ignore the signal or assume that the responsibility was that of a neighbouring village.

No scheme has been formulated so far.

SARDAR MAL SINGH : Sir, will you consider it, provided some reasonable scheme is suggested to you?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Of course, certainly.

296. SARDAR MAL SINGH : Will Hon'ble Revenue Minister please state how much of the reclaimed land in the villages of Handwara and Baramulla Tehsil Khas situated on the banks of the Woolar Lake, which is the property of the Chakdars and zamindars has gone under water? What amount of revenue has been remitted during the last ten years on account of Panimar? Remissions for each Tehsil may please be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : In Handwara, Baramulla and Tehsil Khas, 35160 kanals, 123050 acres and 32515 kanals of land situated on the banks of Woolar Lake owned by the Chakdars and zamindars was affected by floods.

During the years from 1984 to 1993, Rs. 11,121/13/9 have been remitted in Tehsil Khas and papers regarding remission of Rs. 1,117/3/9 are yet pending. In Baramulla Tehsil during this period a sum of Rs. 2,99,464 has been remitted during the same

period.

The papers regarding remission in Handwara Tehsil on account of Panimar which is reported to have recently occurred are yet under correspondence.

SARDAR MAL SINGH : I submit that I have not received written copy of this reply. It may please be supplied to me.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You will receive this copy.

297. SARDAR MAL SINGH : (*a*) Will Hon'ble Revenue Minister please state if Government have sanctioned a sum of Rs. 30,000 for sheep breeding and have made Pandit Ram Chandar Haksar a share-holder in the work by asking him to subscribe Rs. 20,000 and that besides a share in profits he will be given a salary of Rs. 400 p. m. and that Mr. Haksar can himself appoint one Veterinary Assistant who will be paid by the Government? If it is a fact then what are the reasons for paying so high a salary to a share-holder and why do Government take upon themselves to pay the entire expenses of the Veterinary Doctor?

(*b*) Can the zamindars hope to be benefitted by this scheme? Will Government, keeping in view the public interests distribute better breed of sheep amongst the zamindars? If not, why?

(*c*) Is it a fact that the Government have decided to grant land free of charge as grazing grounds for sheep in Jammu for the winter and in Kashmir for the summer?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Government have undertaken to carry out sheep breeding experiments on lines advocated some years ago by Professor Barker, who came specially to advise the State. Mr. Haksar will receive a salary and including this the Research work is estimated to cost Rs. 72,000 spread over 6 years. At the same time Government are starting a private company, in which they hold a controlling interest, to apply the results of the breeding experiments. Mr. Haksar is the other co-sharer. If the company is a success, it will, in due course, be transferred into a public Company, and the shares will be offered for public subscription in the State. The cost of the Veterinary Assistant will be met partly from the Research funds and partly from the funds of the Company.

(*b*) Certainly. The whole scheme is meant for the benefit of all those who are at present engaged in the sheep-breeding and those who would like to take up this profession. It is the deliberate policy of the Government to distribute the best type of sheep at low cost among the zamindars, so that they will have better breeds both from the point of mutton as well as wool.

(*c*) Yes.

SARDAR MAL SINGH : What I want to enquire is, whether the scheme was presented before the Board of Industry, before it was passed?

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : No.

SARDAR MAL SINGH : Will the Hon'ble Revenue Minister please state whether Mr. Hakar is an expert and whether he has done this work even before?

THE HON'BLE MR. K. N. KNOX : Yes, he has worked in Kangra.

SARDAR MAL SINGH : Do Government know anything about his work in Kangra, and what was the result of it? Was his application rejected by the Punjab Government?

THE HON'BLE MR. K. N. KNOX : This is uncalled for.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The Hon'ble Revenue Minister considers it unnecessary.

SARDAR MAL SINGH : Will the Hon'ble Revenue Minister please state as to the arrangement that has been made in 'Kahcharai' (or the pastural) areas for those people who take their sheep to such places? Where will these people go?

THE HON'BLE MR. K. N. KNOX : We don't know.

SARDAR MAL SINGH : If some people do take their sheep to such places, what arrangement will be made for them? I inquire from the Hon'ble Revenue Minister, whether areas have been reserved for bullock breeding?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : This question does not arise; what arrangement will be made and where they will go. A second question will have to be framed.

SARDAR DHIAN SINGH : I submit that it is a scheme. Ought it not to have been presented before the Praja Sabha? Why was it passed before the sanction of budget?

THE HON'BLE MR. K. N. KNOX : It was unnecessary.

SHEIKH MOHAMMED AMIN : Will Government please state whether some State-subject also applied for it?

THE HON'BLE MR. K. N. KNOX : I don't know.

SHEIKH MOHAMMED AMIN : Do Government know that when a State-subject applied for sheep-breeding he was ordered by the Council to attach his State-subject certificate?

THE HON'BLE MR. K. N. KNOX : I don't know.

SHEIKH MOHAMMED AMIN : Did Government advertise it, and any State-subject applied for it?

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : Is not Mr. Haksar a State-subject?

PANDIT AMAR NATH KAK : He is a 1st class State-subject.

SARDAR MAL SINGH : I have not received written copy of this reply. Generally we are supplied with the written reply five or ten minutes before time. I submit that copies of replies be supplied

to us one day earlier?

VOICES : Certainly, certainly.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You will be supplied with a copy. We cannot supply you replies one day earlier, as we do not receive them so soon.

298. SARDAR MAL SINGH : When the *Shamilat Deh* has been granted to the zamindars in this valley and when the land reclaimed prior to 1982 has also been granted to the zamindars, will Hon'ble Revenue Minister please state what are the reasons for depriving the zamindars of the village Anjar Tehsil Khas from these concessions?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : *Nautor* was prohibited in Anchar Nambal by the Settlement Officer, because the grass grown in this Nambal was given on contract annually. Any *Nautor* made in this area was illicit, and could not be granted to the zamindars.

SARDAR MAL SINGH : I want to inquire from the Hon'ble Revenue Minister, whether he himself, or the Governor Sahib, studied the situation and came to the conclusion as to how much area could be made *Nautor* and how much not?

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : The situation was examined.

SARDAR MAL SINGH : There the grass is not cut. I want to ask whether in this case.....(interruption).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Your question ought to be like this : whether inquiry will be made if there is an area which ought to be declared *Nautor*.

SARDAR MAL SINGH : If the situation has not been examined, then is it proper to rely upon a file, wholly.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : It is *Nautor* but illegal.

SARDAR MAL SINGH : My submission is, that a lot of area has been reclaimed. Will then the situation be examined and the agriculturists granted *Nautor*?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : The *Nautor* will not be granted to the zamindars. On the other hand, the offenders in *Nautor* will be punished, and it will be seen where there has been lawful *Nautor* or an unlawful one.

SARDAR MAL SINGH : Will inquiry be made against the orders of the Settlement Officer?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : No.

SARDAR MAL SINGH : Then is it the right answer?

MAJOR MIRZA ATTA MOHAMMED KHAN : Have then the zamindars no right?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : No.

MAJOR MIRZA ATTA MOHAMMED KHAN : Why should they

not get this right when Ailan No. 17 is out?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : In settlement this area has not been reserved for 'Kahcharai' (grazing).

MAJOR MIRZA ATTA MOHAMMED KHAN : That means, the order of the Settlement Officer is given preference over Ailan No. 17.

MIAN AHMED YAR (Addressing Mirza Atta Mohammed Khan) : That will do, they have been exposed enough.

299. SARDAR MAL SINGH : In the State Gazette dated 23rd Har 1994 Mr. M. G. Kotibhaskar, Director of Industries and Commerce had published a notice asking unemployed Hindu graduates and Muslim under-graduates and matriculates to get their names registered within a month in the register specified for that purpose. In this notice there was no mention about Sikhs. Will Hon'ble Revenue Minister please state if there are no unemployed Sikhs in the State or are they not subjects of His Highness the Maharaja Bahadur?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Attention of the Praja Sabha Sad is invited to a subsequent Notification, dated 8th Assuj 1994 which includes Sikhs as well.

MR. JAGAT RAM ARYAN : What was their idea in getting their names enlisted?

THE HON'BLE MR. K. N. KNOX (Revenue Minister) : I do not know that.

300. SARDAR MAL SINGH : Does the Hon'ble Home Minister know that Government has to spend thousands of rupees every year for filtering water for the water-taps and that the filtered water from these taps is used for irrigating the gardens etc. If the answer to this be in the affirmative, will Hon'ble Home Minister disconnect such taps and save the filtered water from being thus wasted and remove the complaint of the public by supplying the same to them?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Yes. The Government has issued a notification to the effect that the public should make their own arrangements for supply of water for gardening purposes within a year after the expiry of this period such pipe connection will be disconnected.

SHEIKH MOHAMMED AMIN : This Ailan is about the public gardens. Will it affect the private gardens as well? What arrangement has been made for the Municipal gardens?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Action will be taken under rules, and you will know it.

301. SARDAR MAL SINGH : (*a*) Will Hon'ble Home Minister please state how much money is granted to the Electric Department for illumination on State occasions (such as the birthday

of Shri Maharaja Bahadur and the birthday of Shri Yuvraj Bahadur).

Are the same lamps, wires and other electric material which are used on one occasion used also on the other?

How many lamps get fused and what length of electric wire becomes useless on each occasion?

(*b*) Are these lamps, wires etc. entered in the Stock Register?

What is the number of lamps and the length of wire left at present with the Department? If there is any, what is its value?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) Rs. 1,400 on each of the occasions is placed at the disposal of Electric Department.

Yes. (The material left after wastage and breakdown is so used).

On the average breakdown of lamps is $6\frac{1}{4}$ per cent. and that of wastage in wires is 5 per cent. approximately.

(*b*) Yes.

Figures are being collected.

302. SARDAR MAL SINGH : (*a*) Will Hon'ble Home Minister please state whether the Electric Department purchases electric goods such as lamps, wires etc. worth thousands of rupees all atonce time and stocks them? If it is a fact then why is it done so?

(*b*) On the other hand the P. W. D. calls tenders from the dealers and fixes rates for the year and from time to time as may be necessary goods are purchased from them. By doing so not only is the Government money not locked up without interest but the spare materials are also not damaged. What objections do Government have in following this practice?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) No. The question does not arise.

(*b*) Electrical Department first calls for quotations from various firms and then purchases its requirements from those dealers whose prices are the cheapest.

SARDAR MAL SINGH : I mean to say whether this material is hoarded up in the store?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Has the reply been received or not?

No. 8—No answer was given.

303. SARDAR MAL SINGH : (*a*) Will Hon'ble Home Minister please state if there is any rule in the Electric Department whereby meters of a particular make are to be used in the factories. If it is a fact, then, what are the reasons therefor?

(*b*) In the first place the factory owner has to pay more for the meter and secondly, in the event of the first meter becoming unserviceable and the other not being

available the factory owner has to suffer a great loss on account of the factory remaining closed.

(*c*) If, instead, the Electric Department were to approve of standard meters of three or four good firms and the public were permitted to purchase the approved meters from the bazar according to their choice, what objections do Government have in doing so?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : (*a*) None. The question does not arise.

(*b*) None. The question does not arise.

(*c*) According to the sanctioned rules, the consumers are at liberty to purchase according to their choice meters which have been approved by the Chief Engineer or his authorised representative.

SARDAR MAL SINGH : I enquired even about the factories.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : The information is not with me, it will be supplied to you later on.

SARDAR MAL SINGH : Will you supply me with the information after inquiry?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Yes.

304. SARDAR MAL SINGH : Will Hon'ble Minister please state what expenditure has the Electric Department incurred in the purchase of meters and current limiters in the year 1993-94?

2. How many of them were installed in the houses of people and other places?

3. How many of them are still in stock and what is their value?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : Rs. 8,606/12/6.

2. The number of current limiters installed is 453 and that of meters 103.

3. At present 220 meters and 847 current limiters valuing Rs. 5,541/4/5 are in hand.

SARDAR MAL SINGH : How has this estimate been prepared?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : I have struck off that portion. I did not read it.

SARDAR MAL SINGH : Why do you not call for tenders for purchase of these meters?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The Hon'ble member asks why should you not invite tenders, as is done in other matters?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : New rules are being enforced. Many privileges will be provided in these rules. This matter will also be considered.

SARDAR MAL SINGH : How is the present difficulty of the

people on this account, to be removed?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : All the circumstances will be considered over.

SARDAR MAL SINGH : Will those rules be presented before the Assembly?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : I can't say.

SARDAR MAL SINGH : Were Members of the Assembly also consulted when those rules were being framed?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Officials from the Chamber of Commerce waited upon the Hon'ble Prime Minister and offered their objections. The rules were framed accordingly.

305. LALA HANS RAJ : Are Government aware of the fact that the plough-bullocks of the zamindars are being attached in pursuance of the decrees of the Co-operative banks and sometimes food-stuffs are also made subject to attachment which fact can be ascertained by examining the files of the zamindars of village Phagwari Tehsil Akhnoor?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : The attachments are made by orders of Civil Courts. If any attachment is made wrongly the Judgment-Debtor can seek redress in a higher Court of Law.

306. LALA HANS RAJ : Is it a fact that there are ferocious leopards in the Ramnagar Rakh near Jammu and there are Chitals in Bahu Rakh and that these wild animals are killing cows and other wild animals etc. Moreover passers by near these Rakhs always apprehend danger from these beasts.

Will the Government adopt measures to do away with this grievance of the people in every possible way? If so, when? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : *1st part.*—No report or complaint about the existence of leopards or chitals has been received.

2nd part.—Does not arise.

LALA HANS RAJ : It is a fine reply.

KHAWAJA GHULAM MOHAMMED SADIQ : A man was presented in the last session; and the Hon'ble Prime Minister interviewed him even.

LALA HANS RAJ : May I ask, how far the reply that has been given to me, is true?

CONFERENCE PARTY : Hear, hear!

307. LALA HANS RAJ : Will Government please state as to why the recommendations accepted in a resolution in the Praja Sabha that the judgments and orders etc. would be translated into

Urdu has not been so far carried into effect and why such translations are not published in the Gazette? It is causing great loss and trouble to the subjects because they are generally Urdu-knowing?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister) : The Judicial Minister is assured that the recommendations contained in the Resolution are duly complied with.

Attention of the member asking the question is invited to Judicial Department Circular order dated 18th June 1937.

LALA HANS RAJ : But no action was taken.

PANDIT RAM NATH SHARMA (Judicial Secretary) : Yes, action has been taken.

LALA HANS RAJ : No.

Copy of the Judicial Secretariat Circular order dated 18th June 1937.

A resolution that all Judicial and Revenue decisions which are passed in English should be accompanied by their Urdu translation has recently been accepted by the Government on the recommendation of the Praja Sabha. Rules and orders already exist in civil cases that whenever a judgment is written in the English language it should be translated into Urdu. But it appears that the rules have not strictly been followed.

Attention of all Courts civil and criminal exercising jurisdiction within the State is drawn therefore to the desirability of translation in Urdu and placing on record a judgment and all important orders written in the English language. When the translation is not made by the presiding officer he should always satisfy himself that it is correct.

308. LALA HANS RAJ : Are Government aware that since the appointment of the Anti-corruption Commission the evil of corruption has been remedied to some extent? When will this Commission submit its final report regarding the measures to prevent this evil practice?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) The Government note the Hon'ble Member's testimony to the work of the commission.

(*b*) The Commission are still holding enquiries. As soon as those are finished, they will submit a report.

LALA HANS RAJ : The malady prolonged on as much as it was tried to be cured. The question is, that the Assembly is in vogue for the last four years, and we have been raising hue and cry, inside the Assembly, and even before its formation to put an end to bribery any how.....(interruption).

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You ask question, but don't discuss.

LALA HANS RAJ : Sir, my question is. Will this disease be rooted out ever?

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary) : Certainly.

MR. JAGAT RAM ARYAN : Will this report be presented before the Praja Sabha?

RAI SAHIB PANDIT RAM CHAND KAK : Certainly.

MR. JAGAT RAM ARYAN : How long will it take?

RAI SAHIB PANDIT RAM CHAND KAK : As soon as the evidence is completed and the report is written out, it will be printed and then presented before the House.

309. LALA HANS RAJ : (*a*) Are Government aware of the fact that in the courts, the Vakils get cases through touts and this practice has a bad effect upon the simple-minded people? If the answer be in the affirmative, will the Government please adopt measures to stop this evil? If so, when?

(*b*) Are the members of Jammu Bar conducting any enquiry in this behalf? What is the result of their enquiry?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister) : (*a*) Government are not aware that the Vakils get cases through touts. If any instances are cited necessary action will be taken.

(*b*) No. As reported by the Sessions Judge Jammu no such enquiry is being conducted by the members of the Jammu Bar.

310. LALA HANS RAJ : Are Government aware of the fact that people are receiving thousands of counterfeit coins in business transactions and some times it is cut in the Government treasury whereby the simple-minded people are being put to loss? If the answer be in the affirmative, then will the Government adopt measures to stop the circulation of such coins in the country? If so, when?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Complaints were received last year of counterfeit coins being in circulation within His Highness' territories and steps had already been taken by the Treasury Officers to cut them when presented at the treasuries. The matter has also been reported to the Inspector General of Police. The Finance Department has not received any such complaint since.

If specific cases are brought to the notice of Government, suitable action will be taken in the matter by the Finance Department and the Police.

311. LALA HANS RAJ : (*a*) Will the Government please state as to whether more than two per cent. as 'Siwa' was charged from the zamindars since the construction work of Banihal road upto its completion? If the answer be in the affirmative, then it may please be stated :—

(*b*) Upto what time was it realised and what was the total amount realised thus?

(*c*) Why this two per cent. is being realised as Siwa when the Banihal road having been completed, road toll is charged for it? If it be correct then what objection the Government would have in refunding to the zamindars this two per cent. charged over and above other dues?

NOTE.—Formerly 10 per cent. was realised as 'Siwa' from the zamindars in the said Illaqa. When the construction of road was taken in hand an addition of two per cent. was made and 12 per cent. was realised as 'Siwa'. Now inspite of the fact that the road has been completed that two per cent. is still being realised.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) No extra 'Siwa' was charged from the zamindars for the construction of the B. C. Road.

(*b*) and (*c*) Do not arise.

MIRZA MOHAMMED AFZAL BEG : Is his note wrong?

LALA HANS RAJ : Are those two rupees being realized even now?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (Governor Kashmir) : The addition of those two rupees was not allowed to be made.

312. LALA HANS RAJ : Are Government aware of the fact that orders have been issued for the removal of the liquor house from the central part of the Akhnoor town and that order has not been carried out so far and the contractor is contriving means to avoid it as a result of an intrigue by some of the local officials? As the ladies in general pass through this liquor house so all the people of the town are experiencing troubles? If the above facts be true then when will the Government adopt measures to remove the liquor house from the city to some outside place and punish the persons concerned?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Orders for the removal of Akhnoor liquor shop from the present site were issued some time ago and the Inspector is being asked urgently to take immediate steps for compliance with these instructions.

313. LALA HANS RAJ : Will the Government please state in which year the Kandi Division was established? What amount in which particular year was sanctioned allotted to this Division? How much amount was paid as pay and T. A. etc. and as against this what means of irrigation have been provided in which of the Kandi Illaqa? In which parts of the Kandi Illaqa what different means of Irrigation have been adopted to remove the complaints? What total amount was spent by the Government upto the last year? What amount to supply the water was provided in the last year's Budget?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : The information is being collected and will be supplied later on.

314. LALA HANS RAJ : Do Government know that there are more than one thousand boys receiving education in Sri Ranbir High School, Jammu, and there is no sufficient accommodation for them to sit there? If the answer be in the affirmative, when will the Government make additions to the school building and thereby remove the difficulties of the students?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister) : The number of students in Sri Ranbir High School, Jammu, is 950 and the accommodation is not insufficient.

315. LALA HANS RAJ : Do Government know that Kahcharai Tax is still realised from the zamindars of Illaqa Khandur Trah Tehsil Akhnoor whereas the realization of such tax has been stopped in the adjoining areas? When will the Government exempt the zamindars of the above mentioned Illaqa from the payment of this tax?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Revenue Minister) : The Grazing Tax in the Pahari circle of this Tehsil, which was assessed on buffaloes at Rs. 3,207/6/- at the time of settlement has already been reduced to Rs. 1,069/2/-, which is consistent with the grazing facilities existing in this Illaqa.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : On 2nd October Mr. Beg raised a point of order and I said that I would give ruling on it. I shall read out the ruling to you as under :—

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : I shall read out my ruling upon the point of order raised by Mirza M. A. Beg on the 2nd of October.

Ruling.—At about the close of sitting of the House on 2nd October 1937 Mr. M. A. Beg raised a point of order. His contention was that Mr. A. N. Purbi who has been nominated as a member of the House could not be so nominated.

The question raised is to be answered with reference to Section 14 of Regulation No. I of 1991. It lays down that number of elected and nominated members and also the number of State Councillors. Then it runs as follows :—

"The number of officials nominated by virtue of their Office shall not exceed 12 including the Ministers".

At an earlier portion of the same section it is stated that the total number of non-elected members shall be 42. The other figures relating to State Councillors and members nominated by His Highness the Maharaja Bahadur for the constituencies and communities specified in the schedule being constant, the only number that may fluctuate is the number of remaining non-elected members and the balance is 12. As the section lays down that the number of officials nominated by virtue of their office shall not exceed 12 including the Ministers, it follows that if the number of officials

be less than 12 the House would be incomplete till the total number of non-elected members be made up by nomination of non-officials so that total number of 42 may be reached. As the total number of non-elected members must be 42, in the case of official members being less than 12, it follows that the deficiency has to be made up by nomination of one or more non-elected members. Mr. Purbi has been nominated a member of the House in order to make up the deficiency.

The President therefore rules that the Constitution of the House is not open to the objection raised by Mr. M. A. Beg.

LALA HANS RAJ : Sir, I have not followed anything.

NOTE.—The Hon'ble President gave the purport of the ruling in Urdu.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Now the Hon'ble Finance Minister will please read out his budget speech. But wait a minute please ; the copies of the speech will be made available to every member.

NOTE.—(Copies of the Budget speech were applied to the members by the Secretary).

FINANCE MINISTER'S SPEECH ON THE OCCASION OF PRESENTING THE BUDGET ESTIMATES FOR 1994-95.

The estimate I am presenting to the House have been prepared in the form introduced for the first time last year and which it is presumed have met with the approval of Members. Some changes have, however, been made for administrative reasons and considerations of a general character.

Road Toll receipts which have hitherto been classified as Customs Revenue are shown against the Public Works Department (Roads and Buildings) to which they properly pertain. The idea is to see if these receipts can be correlated with the construction and maintenance of roads. The Irrigation Department is controlled by the same agency as Roads and Buildings and the two have been shown together under the Public Works Department. Certain departments were described in the statement and accounts as "Beneficient Departments" which apart from being a reflection on the work of other Departments all aiming at the public weal, was not correct in-as-much as activities like those directly associated with the so-called Beneficient Departments were also undertaken by other departments. The Panchayat Department is maintained for the welfare of the people although it does not form part of the ordinary administration. The Forest Department constructs and maintains roads like Public Works Department and imparts useful training to the people which is utilized by them within and outside the department and the State. The Land Revenue Department imparts instruction in Agriculture like the Education Department. It will also control the grant for village up-lift works which has been

introduced this year. The Police Department has charge of the Fire Brigade not concerned with the ordinary work of the Department.

3. A new head of receipts namely "Railways" has made its appearance in the accounts for the first time. The Suchet Garh Jammu Railway was constructed on behalf of the State out of funds provided by the Dharmarth Department. Through an oversight, however, the Railway has all along been treated as property of the Dharmarth Department. The position has now been set right. The profits from the Railway will be credited to the State and the interest payable to the Dharmarth Department will be treated as expenditure like other interest charges. The question of repaying the loan to the Dharmarth Department is receiving consideration.

4. Another important change has been made in booking separately capital expenditure in the revenue earning Departments as not charged to revenue. The expenditure used to be described as such 3 years ago but it was actually charged to revenue and the surplus or deficit in the Budget was declared after taking this expenditure into account. The description of the Head was, therefore, changed in accordance with the actual practice in the Budget estimates of the last two years, as it was possible to meet all this expenditure from the current revenues. It is, however, felt that the procedure handicaps the development of the revenue earning departments by considerations of balancing the Budget and thus restricts the expansion of revenue. It has, therefore, been decided to leave this expenditure out, in determining the surplus or deficit of the year. The amount has been shown in the estimates as a direct charge in the cash account and it will be met either from the revenue surplus that may be actually realized at the end of the year or from the surplus cash balance and in the last resort from the revenue reserve investment.

Last year it appeared that there was misapprehension in the minds of some Members about the position of the General Provident Fund, as the transactions of the Fund were not shown separately but were mixed up with deposits. These transactions have with a view to avoid misapprehension as well as on account of the general interest of the public in the General Provident Fund, been now shown separately.

5. One more misapprehension, I will take this opportunity of removing from the minds of the Members. The Public Works Department contains a Division which is called the Palaces' Division. It controls expenditure on buildings which accommodate the Secretariat Offices, Guest Houses of the Reception Department and also works connected with the residential Palaces of His Highness the Maharaja Bahadur. No expenditure in connection with

the residential Palaces is, however, charged to the Public Works estimates. Funds for all these works are provided by the Privy Purse and accounted for separately to the Private Department of His Highness the Maharaja Bahadur. The expenditure charged to Public Works estimates relates entirely to Public buildings and roads.

6. As criticism is not infrequently directed inside the house and in the Press against the general financial position of the State, I would ask the Members to study these statements and judge the position for themselves. They will see that the last two years have, after meeting all expenditure with enlarged activities in all directions, left behind a substantial surplus and for the next year also it has been found possible to balance the Budget. The State has no public loan whatsoever. The Debt Head statement only gives the transactions of Debt Heads which arise in the ordinary course of administration. The statement shows that the Dr. and Cr. transactions of the year practically counterbalance each other. But the net liability under the heads was 41 lacs at the beginning of the current year. The investment account shows a balance of 95½ lacs invested almost entirely in Guilt Edged Securities. It will be noticed that over 20 lacs have been added to this reserve during the last and the current years in addition to ten lacs in the preceding and the current years and a loan of 4½ lacs which was taken from the Dharmarth Department has also been repaid to that Department. Over and above the interest earned on the investments, a revenue of about 40.48 lacs is drawn from capital works all financed from revenue in previous years. The net receipts from interest and the income from these capital works including Road Toll which is now credited to the Public Works Department are over 18 lacs and to this extent the present tax payer gets the benefit without any taxation.

I would reiterate that the experience of years of slump which the State had to pass through along with the rest of the world shows the wisdom of having a revenue reserve from which it withdrew as much as 91 lacs during the period of slump.

Actuals 1992-93.—The Revenue Receipts for the year were estimated at Rs. 2,39,28,000, but the actual realizations came up to Rs. 2,45,03,439. The Customs receipts exceeded the estimates by about Rs. 6 lacs. Appreciable improvements also occurred under other heads notably, property in British India (.23 lacs), Forests (.46 lacs), Electricity (.40 lacs), Irrigation (.82 lacs), Miscellaneous Departments (.49 lacs), Administration of Justice (.31 lacs), Public Works (.78 lacs) and Military (.21 lacs). The increase were partly counterbalanced by decreases under several heads chiefly under Land Revenue and Cesses (1.12) lacs, Income Tax (.61 lacs), Sericulture (.42 lacs), Stamps (.52 lacs), Jails (.17 lacs), Industrial

Departments (.29 lacs), Stationery and Printing (.55 lacs) and Miscellaneous (.44 lacs). In spite of the decreases noticed above, the actual revenue realizations for the year show on the whole an increase of Rs. $5\frac{3}{4}$ lacs, over the estimated figure. On the expenditure side extra grants aggregating over Rs. 10 lacs were sanctioned, but owing to the normal lapses that usually occur, the actual expenditure for the year came to Rs. 2,38,98,975 against the estimates of Rs. 2,43,74,000. In the case of some grants there was an excess over the Budget provision. Under the Political grant the excess of (.29 lacs) was chiefly due to the grant of life *Mukararies* to persons who rendered meritorious services in the last disturbances and payment of arrears of *Mukararies*. In the Medical Department the excess of (.31 lacs), is accounted for by the extra grant sanctioned to meet the salary of the State Surgeon and the payment of liabilities in connection with measures for the suppression of cholera which broke out in the Valley during 1991-92. Large increases occurred under the heads Refunds (5.78) lacs, and Miscellaneous (2.21lacs), the excess under the former head being chiefly due to larger customs, refunds and that under the latter to the various extra grants sanctioned under this head to meet the cost of the Commissions appointed during the year, grants-in-aid to the Municipalities and the premia paid on the purchase of Government securities.

On the whole the year showed great improvement over the estimates and a deficit of Rs 4,46,000 estimated for the year, having been converted into a surplus of Rs. 6,04,464 and the estimated cash balance of Rs. 53,56,000 at the end having actually risen to Rs. 59,85,945 in spite of an investment of Rs. 15,26,500 in Government securities and shares during the year.

Apart from peace and steady progress reflected in its finances the year was featureless. The large increase under Customs Revenue was not due to any revision of tariff, but to revival of business and trade.

REVISED ESTIMATES 1993-94.

The Revised Estimates of Revenue on the whole do not show any material variation from the original estimates. There is, however, a large decrease of Rs. 3 lacs under Sericulture which is accounted for mainly by the failure of the silk agents in Italy. This and other minor decreases under some heads have almost been counterbalanced by increases chiefly under Land Revenue and Cesses (1.3 lacs), Property in British India (.42 lacs), Irrigation (.52 lacs) Miscellaneous Departments (.46 lacs) and Roads and Buildings (.26 lacs).

In spite of considerable demands through extra grants and increased expenditure to meet the cost of the release of increments, the revenue and the expenditure of the year (excluding expenditure

of a capital nature not charged to Revenue) are anticipated to practically balance each other. The causes which have brought about this position are generally similar to those in the previous year. Normal lapses in expenditure have been taken into account in the Revised Estimates. The principal savings anticipated are .68 lacs under Land Revenue and Cesses, .55 lacs under Forests, .51 lacs under Electricity, .69 lacs under Hon'ble Minister-in-Waiting's State Departments, .64 lacs under Police, 1.55 lacs under Education, .69 under Medical, .81 lacs under Roads and Buildings, .97 lacs under Pension and Gratuities and .58 lacs under Stationery and Printing. There is a likelihood of an excess of 3.87 lacs under Refunds and of Rs. 8.36 lacs under Miscellaneous which are expected to be met out of anticipated savings under other heads.

In spite of the demands which had to be faced during the current year, the final position is satisfactory. It has been possible to invest over Rs. 4 lacs in securities and even after this investment the closing cash balance of the year works out to about Rs. 48 lacs against the estimated closing balance of Rs. 45,29,183. The movement of the cash balances in the treasuries and Banks etc., however, indicate that the year may actually close with a considerably larger cash balance. The Hartal at Jammu might have temporarily affected Revenue receipts in some Departments, but the loss is likely to be made good mostly in subsequent months.

The review of the year's finances indicates that the revenues of the State have attained to the normal, though small improvements in various directions specially under Customs, Forests, Sericulture and Income Tax, are anticipated to result from a more efficient administration of these Departments. It is gratifying that the abolition of the possession tax on cars, the lowering of the scale of Road Toll and exemption of lorries exporting rice and *shali* from the Toll have not affected the estimates of the Customs Department.

On the expenditure side, the large item of capital expenditure does not affect the Revenue position owing to the decision not be charge this expenditure to Revenue. The most interesting item included in this category is one of Rs. 25,000 for the telephone line to Poonch which is an accomplished fact. The decision to release increments was arrived at during the year, an undertaking having been given to the Praja Sabha on the point at the last session at Srinagar. The anticipated savings under Education, Medical and P. W. D. clearly indicate that these Departments are not suffering from lack of funds, and want of more rapid expansion is due mainly to administrative difficulties. The scheme for a College of Science at Srinagar which has not materialised illustrates the point. Fuller consideration of the question revealed flaws in the scheme and alternative schemes for relieving the congestion in the Sri Pratap College

are under consideration. The abnormal excess under Customs Refunds is being investigated to see if any Refunds are being allowed irregularly.

The large increase under "Miscellaneous" is due to a large item appearing in the Budget for the first time, *viz.*, the loss of 5.76 lakhs in the Food Control Department. The Department has been running at a loss for the last three years but the losses were met from the accumulated reserve of previous years which was exhausted during the year. Restrictions on the import of *Shali* have been abolished and an attempt is being made to run the Department on self-supporting lines. It may be mentioned that the loss is entirely accounted for by *Shali* having had to be sold at a lower price than the agriculturist got for it and can, therefore, be regarded as a subsidy paid to the cultivators.

An undertaking was given to the Sabha last year for the construction of up-to-date Hospitals at Srinagar and Jammu, but no provision was made in the Budget as the schemes were not likely to be under way during the year. The schemes are likely to be completed during the next year, but have not yet assumed a form which could justify a definite budget provision. It is, however, intended to push through these schemes irrespectively of Budget provision as soon as possible and the question of ways and means will be decided at the time of inauguration of the schemes. The cost will be approximately Rs. 25 lakhs, and careful consideration of preliminaries is essential to ensure economy.

There is a class of transactions which do not affect the revenue and expenditure estimates but in which the Sabha is sure to be interested *e. g.*, loans for Industrial Development. The first experience of Government in this direction was unfortunate as a loan of three lacs was made for a Silk Factory which never materialized. Attempts are being made for the recovery of this loan but the bulk of it will have to be written off. Subsequent loans, however, have been fruitful. The first loan of this kind was one of Rs. 34,000 for an electric plant at Muzaffarabad which is an accomplished fact. A small loan of Rs. 7,000 was also made for starting Pottery Works at Jammu.

The most important scheme of this kind, however, is the Shree Karansingh Woollen Mills for which a loan of Rs. 1.3 lacs has been made by Government. The Mill was to be started on a modest scale but its scope was subsequently enlarged and a limited liability Co : was floated for the purpose. The Mill has started working though not yet at full capacity. It employs nearly 200 workmen and contributes a fair sum to the Government exchequer in the shape of Road Toll, Customs Duty, electric dues etc. As part of the full scheme for wool growing and sheep breeding and manufacture of woollen goods in the State, arrangements have been

made with the Mill for the training of wool growers in grading and sorting on payment of a subsidy of Rs. 4,000 for the year ; an equal amount being spent by the Mill itself. This training will enable the wool growers to secure a considerably higher price for their wool whether it is sold to the Mill or outside.

A scheme for Sheep Breeding coupled with research has also been sanctioned. This is expected to be a paying concern and the State will contribute Rs. 20,500 to the capital of the Company. For the research work Government will pay a subsidy of Rs. 12,000 a year for six years on certain conditions aiming at improvement in the breed of sheep and the quality of wool and mutton throughout the State.

I should not forget to mention the Tourist Industry which is perhaps the greatest Industry of the State. For the last two years an extra grant of Rs. 4,700 has been allowed to the Visitors Bureau for propaganda work and the cost of the payment of an Artist Cum Journalist.

Recently a high officer of the State was also deputed to study and report on the Tourist Industry in the Continental countries of Europe to bring this department up-to-date.

One matter which attracted considerable attention of the Sabha last year was the question of improvement of water supply in the Kandi Illaqa. The State has spent over $3\frac{1}{2}$ lacs for this purpose, but all the expenditure on the deepening of tanks proved to be sheer waste owing to seepage. For the last two years the work has, however, been done on more practical lines and Rs. 93,000 have been spent on the construction and improvement of tanks and wells, partly paid for by the people of the locality itself in cash or labour.

Estimates for 1994-95.—The figures for the three years under review indicate that some stability has been reached under revenue receipts as a whole. The estimates have been adopted at Rs. 2,48,59,000 which exceeds the revised estimates for 1993-94 by 1.72 lacs. This figure is, however, almost entirely accounted for by an increase of one lac in Forest, Revenue and Rs. 60,000 under Railways. The latter increase is only nominal as it is set off by interest and capital expenditure on the Railways on the expenditure side.

Taking the important sources of revenue namely the Customs, Forest and land Revenue, the figures under Customs do not on the whole indicate any variation. In the details the variations indicate that Indian goods are gradually replacing goods imported from abroad, specially sugar and piece goods. The apparent decrease in the estimates of the Department is due to the transfer of Road Toll receipts to the Public Works Department. Under other heads the estimates adopted are conservative but it is hoped that the recent increase in prices and the upward tendency in the imports under

fibrous goods and oils will result in the estimates being fully realized if not exceeded.

The increase in receipts under Forests has been referred to already. It is to be attributed chiefly to improvement in the price of timber. The receipts of the Department have increased steadily during the last three years, but a stable figure seems to have been reached now though some improvement may result from a more efficient administration of the Department.

The figures under Land Revenue indicate a decrease of about a lac but this is only due to the current year's figure having included arrears not likely to recur in the next year. There is a large increase under Sericulture (3.4 lacs) which is due to the current year's figure being abnormally low, owing to the loss sustained by the Department on account of the failure of the Italian Firm which owed money to the Department. The large increase in the Public Works Department (Roads and Buildings) is due to the transfer of the income from Road Toll to this Department. There is a drop of about a lac in Road Toll as compared with the current year's figure which is due to reduction in the rate and remission of the tax on lorries exporting rice.

The variations under other heads are normal and generally speaking are due to windfalls or arrears.

Expenditure Estimates.—The total expenditure provided for in the Budget for the next year is Rs. 2,48,36,000 over and above the amount of Rs. 4,75,000 provided to meet expenditure of a capital nature not charged to Revenue. Against the estimated revenue of Rs. 2,48,59,000 the expenditure charged to Revenue is estimated at Rs. 2,48,36,000 leaving a surplus of Rs. 23,000. It will be observed that during the last three years the expenditure estimates including capital expenditure have risen from Rs. 2,34,91,000 to Rs. 2,53,11,000 an increase of Rs. 1,820 lacs. There has been no appreciable increase in the cost of General Administration, apart from the restoration of the ten per cent. cut in the salaries of Government officials and the release of increments to Government employees withheld as a temporary measure to enable the Government to tide over the period of depression. Large increase in expenditure for the Departments of direct public utility have on the other hand been allowed from year to year. The grant for the Education Department has risen from Rs. 16,70,000 in 1991-92 to Rs. 20,14,000 estimated for the next year. The grants for the Medical, Industrial and Agriculture, Horticulture and Co-operative Departments have like-wise gone upto 9.05 lacs, .97 lacs and 3.72 lacs against Rs. 7.96 lacs, .61 lacs and 2.87 lacs respectively provided for the year 1991-92. Considerable allotments during the

period were also made for the improvement of and the opening of communications and improvement of water supplies in the *Kandi Illaqa* as well as in Srinagar and Jammu. Several new telegraph and telephone lines were constructed and a number of new telegraph offices opened at various places in the interior. A telephone Trunk line from Jammu to Srinagar was also erected to connect the State with the Telephone system in British India. The Department of Archaeology and Museum was also revived during the period.

The more important features of the next year's grants which will be of special interest to the Sabha will now be dealt with specifically.

Revenue and Cess Departments.—Apart from normal expenditure of the Department, a provision of Rs. 1,32,000 has been made for the construction and maintenance of village roads and bridges. Increased provision has also been made for the construction and maintenance of Irrigation canals. Increased travelling allowance grants have at the same time been allowed for the Director Land Records, Patwar and Road Cess employees for the more efficient discharge of their duties in relation to village uplift.

FORESTS.

The estimates contain a provision of Rs. 42,650 on account of repairs to Roads and Bridges. Increased provision has further been made for the extraction of walnut half wroughts to meet the requirements of the Steaming Factory at Baramulla and for sowing and planting in nurseries. All these items are essentially of the nature of an investment as they will result in increase of revenue in future years.

Rs. 19,000 have also been provided in the Forest Budget for construction of new roads, but this has not been charged to Revenue. Temporary guards and watchers for Astore have also been provided for.

SERICULTURE.

Increased allotments have been made for the purchase of seeds and cocoons with a view to extending operations so as to reduce the cost of production and increase the profits. These items also are in the nature of an investment.

INCOME TAX.

The Department has been re-organized and the expenditure estimates appreciably reduced.

GENERAL ADMINISTRATION.

Provision has been made for the Judicial Secretary created during the current year by partial readjustment of the grants under the High Court. Increased travelling allowance grants have been allowed to the Revenue officers of various ranks to enable them to make more effective touring in their districts. Provision has also been made for the newly created post of Revenue Assistant for

Astore with concomitant charges, as a result of the transfer of the control of Bunji to the Governor of Kashmir.

ADMINISTRATION OF JUSTICE.

With a view to clear off pending cases in the Courts, provision has been made for a temporary Munsiff's Court at Srinagar.

POLICE.

There has been a persistent cry in the Press and the Praja Sabha that in view of the density of population and congestion of buildings in the Srinagar City the present arrangements for protection from fire were not adequate. This was partly due to insufficiency of hose and partly to want of hydrants and light portable Fire Engines which could pass through narrow lanes in the town. The question has been engaging the attention of Government, and a sum of Rs. 5,500 has been provided for the purchase of an engine to replace one of the engines which has been condemned in addition to Rs. 2,000 provided annually for hose. A sum of Rs. 5,000 was provided last year for the construction of hydrants at places where they did not exist before.

EDUCATION.

In compliance with the commands of His Highness the Maharaja Bahadur passed on the recommendations of the Glancy Commission, the following new schools at a total cost of Rs. 1,81,828, have been opened during the last four years :—

Primary Schools (Boys)	...	...	105
Lower Middle Schools (Boys)	...	...	24
Upper Middle Schools (Boys)	...	...	12
Primary Schools (Girls)	...	...	35
Middle Schools (Girls)	...	...	7

For the next financial year the more schools will be opened at a cost of Rs. 52,854 as shown below :—

36 Primary Schools for boys. (20 Departmental and 16 extra Departmental).

8 Lower Middle Schools for boys.

4 Upper Middle Schools for boys.

10 Primary Schools for girls.

2 Middle Schools for girls.

SPECIAL SCHOLARSHIPS TO BODHI STUDENTS.

The backwardness of Bodhs in education has engaged the attention of the Government for some time past. Although facilities were given in this direction by opening new schools in the *Illaqa* of Kargil and Leh, the Government keenly felt that some special scholarships for Bodhs were absolutely necessary in order to encourage education among them. Consequently 12 scholarships of Rs. 2 p. m. each for Middle classes and 15 scholarships of

Re. 1 p. m. each for primary classes in Leh and Kargil Middle Schools have been provided in the Budget.

MEDICAL.

To meet the urgent demands of the Mufassil Dispensaries in the Jammu Province for instruments, a sum of Rs. 2,000 has been allotted. Increased provisions have also been made to meet several other requirements of the Department.

In accordance with the Resolution passed by the Praja Sabha in the last Jammu Session and accepted by Government an amount of Rs. 6,780 has been included in the estimates for grant-in-aid to Vaids and Hakims and subsidies to Medical Practitioners to start private practice at places where medical aid is not available otherwise.

Reference has already been made to the large scheme for up-to-date hosiptals at Srinagar and Jammu which does not figure in the Budget estimates, but which will be pushed through as quickly as possible, independently of Budget provision. For improvement of the present hospital building at Srinagar Rs. 20,000 have been sanctioned of which Rs. 4,000 will be spent in the current year and Rs. 16,000 have been provided in the next year's budget.

INDUSTRIAL DEPARTMENTS.

Provision has been made for the newly created appointment of the Director of Industries and Commerce. To enable the Director to undertake economic surveys in connection with some trades and industries by which the Department could render practical help, a provision of Rs.3,000 has been made for economic and trade surveys.

A provision of Rs. 3,000 has also been made for Chemical Experiments to enable the Department to conduct experiments connected with the utilization of raw materials and analysis of minerals etc. with the object of making use thereof on a commercial scale.

Non-chemical investigations constitute an important item of the work of the Commerce and Industries Department. The Director proposes to conduct such investigations now on a larger scale and the grant has accordingly been raised to Rs. 3,000.

In view of the value of participation in outside Exhibitions as a means of finding a market for local manufactures, a provision of Rs. 1,000 has been made to provide proper facilities to manufacturers and traders for participating in outside Exhibitions. Provision has also been included in the estimates for tanning and dyeing demonstrations at a cost of Rs. 7,500.

An amount of Rs. 5,900 has been provided for giving loans to help cottage industries.

AGRICULTURE, HORTICULTURE & CO-OPERATION.

A provision of Rs. 6,264 has been made for the opening of

three new tenants farms to improve method of cultivation. Stipends for training the sons of zamindars introduced as an experimental measure have been continued for another year and construction of sheds at Golsamandar and the Partap Model Farm for the purpose has been undertaken this year.

A provision of Rs. 16,000 has been made for advancing loans to Agriculturists under the Aid to Agriculturists and Land Improvement Regulation.

Spraying machinery and skilled labour will be supplied to orchardists free of cost and provision has accordingly been made for additional spraying machinery and other necessary outfit.

Increased provision has also been made to enable the Agriculture Department to conduct experimental work in Horticulture and Entomology. This Department also runs a poultry farm the grant for which has been increased for free supply of pedigree birds to villagers.

VETERINARY DEPARTMENT.

In addition to two touring Veterinary Dispensaries one for each province, five new dispensaries, 3 for Jammu and two for Kashmir have been provided for with a view to afford facilities of veterinary aid to zamindars.

The Department has been further strengthened by the revival of the Kashmir Inspectorate.

The Cattle Breeding Scheme has been given effect to and all charges in this connection aggregating Rs. 13,100 have been provided for.

A provision of Rs. 3,200 has been made for holding cattle shows in both the provinces. Rs. 3,000 have been provided for the construction of new Veterinary buildings. With a view to combat the Renderpest disease amongst cattle, an increased provision of Rs. 5,000 has also been made for the purchase of serum.

P. W. (ROADS AND BUILDINGS).

Rs. 2,22,000 have been provided for new roads, some of which are in progress. It is intended to set apart this sum every year for opening out the country. Rs. 34,369 have also been provided for the construction of bridges.

In accordance with the Resolution passed by the Praja Sabha an amount of Rs. 10,000 has been provided for the improvement of *Nallah* Mar in Srinagar, the survey for this work having been completed.

Rs. 29,745 have been provided for the improvement of water supply in Srinagar.

MISCELLANEOUS.

Two interesting items appear under this head for the first time, one of Rs. 40,000 for village uplift work and another of Rs. 25,000 for an Education Loan Fund. The former will be spent on rural

works for improvement of sanitation and water supply on the basis of an equal contribution by the people themselves. The latter has been transferred to a Fund created for the purpose of affording facilities for Education to promising young men who will be expected to repay the amount advanced by the State with a moderate rate of interest when they are in a position to do so.

The provision for the award of scholarships (.75 lacs) will continue. The Loan Fund is expected to meet the requirements of cases which may not be suitable for stipends and will enable brilliant students to find a wider and more lucrative field for their talents than Government service in the State can provide.

The contribution of 1 per cent. and ½ per cent. of net Customs revenue to the Municipalities of Srinagar and Jammu respectively will continue.

CAPITAL EXPENDITURE NOT CHARGED TO REVENUE.

The most important item in this class is one of three lacs, which has been set apart for the tarring of 100 miles of the main roads. It has been treated as capital expenditure as it cuts down the maintenance cost of roads. As a result of this work the maintenance grant for the year in the P. W. D. has been reduced by 1.91 lakhs. The other important items are Rs. 28,000 for the construction of Nandi Kuhl canal and Rs. 74,266 for the new Automatic Telephone Exchange at Jammu, the existing Telephone Exchange being old and unsatisfactory.

The Telegraph and Telephone Line to Poonch estimated to cost Rs. 26,670 initial and Rs. 2,524 recurring has been completed during the current year.

CONCLUSION.

I hope it will be recognized that the Budget has been framed on progressive lines and special attention has been paid to matters in which the Sabha has evinced interest on previous occasions. There may be difference of opinion about the pace of progress but finance speaking generally is a matter not so much of what we may desire as of actual possibilities and realities. The resources of Government are limited, and recourse to additional taxation is not considered desirable. Government is, however, hopeful of maintaining the rate of progress by a more efficient handling of its resources.

POONCH BUDGET FOR 1904-95.

RECEIPTS.

The estimates for the next year have been adopted at Rs. 9.95 lacs against the current year's Budget Estimates of 10,31,500, a decrease of Rs. 36,400. The decrease is chiefly noticeable under Customs which is due to exemption of certain grains from payment of duty in compliance with the public demand to that effect. The

other minor decreases do not call for any comment.

EXPENDITURE.

The expenditure estimates for the next year have been adopted at Rs. 9,92,800 against the current year's original estimates of Rs. 11,29,000 a decrease of Rs. 1,36,200. The decreases occur under :—

(1) Forests due to the cost of demarcation, extension, and improvement of Forests having been reduced from Rs. 6,060 to Rs. 600.

(2) Reception, due to the provision under Farashkhana articles having been placed at Rs. 1,000 against the current year's estimates of Rs. 5,000.

(3) Dharmarth, due to the provision under special donations and repairs to temples having been reduced from Rs. 7,900 to Rs. 1,000.

(4) P. W. D. due to the provision for original works under Buildings and communications having been adopted at Rs. 17,006 against the current years' original estimates of Rs. 55,100 and

(5) Extraordinary, due to the provision of Rs. 1 lac in the current years estimates to meet the cost of the troops deputed to the *Illaqa* during the political disturbances having been reduced to Rs. 8,000. These decreases are counterbalanced to the extent of Rs. 15,700 by increases noticeably under Police, Education and Micellaneous.

The following table briefly indicates the financial position for the years under review :—

	Estimates 1993-94.	Revised estimates 1993-94	Budget estimate.
Opening balance ...	15,91,237	16,21,985	15 31,585
Receipts	10,31,500	10,47,100	9,95,100
	26,22,737	26,69,085	25,26,685
Expenditure ..	11,29,000	11,37,500	9,92,800
Closing balance ...	14,93,737	15,31,585	15 33,885
	26,22,737	26,69,085	25,26,685

It is gratifying to note that in spite of heavy demands on the Poonch Exchequer during the last few years caused chiefly by disturbances in the *Illaqa* it has been possible to maintain a balanced budget. The closing balance at the end of 1990-91 stood at Rs. 15,70,022 and the balance with which the next year is esti-

mated to close is Rs. 15,33,885. Though Revenue estimates for the next year have been reduced by the remission of duty on certain imports, considerable economy in expenditure has been effected without touching the Administrative and Public Service Departments.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Before we take up the business for today, I want to say one thing. You all know that several Hon'ble Members have requested that time may be specified for discussion of the Poonch Budget. Two days are fixed for general discussion of the Budget and six for discussion of the separate Heads. Since it is not possible to allot days separately for Poonch and Chenani Budgets, therefore I propose that tomorrow the last two hours may be set apart for discussion of the Poonch and Chenani Budgets. I hope you all agree to this.

PANDIT AMAR NATH KAK : In this way much time will be curtailed for general discussion of the Budget. The time allotted for general discussion is already insufficient.

MR. M. A. BEG : It is not right to have two hours discussion on a Budget worth about eleven lakhs while there should be only one hour's discussion of a Budget worth about two and a half crores of rupees.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Tomorrow the last hour will be reserved for the discussion of the Poonch and Chenani Budgets.

PANDIT AMAR NATH KAK : Sir, today Hon'ble Finance Minister has put before us last year's Budget and Budget estimates for next year so that we might compare them. He has stated that the estimates for next year are very satisfactory and encouraging. Besides he has stated that money has been spent on various heads and that there is an all round improvement. It has been stated in the very first paragraph that a larger amount will be spent next year on works of public utility. But it shall appear from a perusal of the Budget that no provision has been made for works of public utility ; the increase in this head is only nominal. Several Departments have been included amongst the beneficient Departments although in reality they are not so. At the time of the compilation of Budget a change was made in these heads so that it may appear to us that Government is spending many lacs of rupees on beneficient activities and that much increase has been made in it this year. But the facts are to the contrary. I will now state the various Departments which are now treated as Beneficient Departments.

(*a*) *Revenue* :—It has been treated as a Beneficient Department because it includes the Agriculture Department which trains people in agriculture and also because it includes the Panchayats

which does village uplift work for which rupees forty thousand have been provided in the Budget sanctioned for this year. The other instance is of a very big Department *i. e.* the Police. The Police Department has been treated as a Beneficient Department because it has the Fire Brigade under it for which the purchase of a new Engine Rs. 5,000 have been provided this year. Although these Departments are included amongst the Beneficient Departments, in reality they are not so; and this has been only done in order to swell the items of Beneficient Departments in the Budget. If we go into details we shall find that an increase of several lakhs has been shown in the income but if on the other hand we look into the Beneficient Departments and the beneficient activities, we shall find that they have received very little attention and very frugal grant. I shall take it up later.

The first point which I want to state is that the Budget which has been presented as very encouraging is indeed from the view point of the public thoroughly unsatisfactory and unencouraging.

In the second paragraph the income from Road Toll has been included in the revenue from Public Works. What deserves our consideration is the proportion of its income to the expenditure on roads. Road Toll means the income from the road, therefore it is imperative that this amount be spent on the roads from which it is realized *i. e.* the roads that lie between Kohala and Suchetgarh. But one who has had a chance to go beyond Kohala and Suchetgarh will find from a comparison with the Sialkot, Murree and Abbotabad roads that the roads of the State are in a very wretched and deplorable state. A man walking from one territory into another perceives this marked change unconsciously and knows in an instant that he has passed out of one dominion into another.

If the income from Road Toll had to be put under the head Revenue from P. W. D., then, the proper thing would have been to spend the entire amount realized from Road Toll on the improvement of the roads between Kohala and Suchetgarh. But, it is a pity that there is no such provision or indication to that effect in the Budget.

Now I want to speak about such provisions as have been made for the beneficient and industrial Departments. Let us first consider the larger heads of income. $95\frac{1}{2}$ lacs have been invested in Securities. During the past two years, twenty lacs have been added to this reserve and a loan of $4\frac{1}{2}$ lacs which was taken from the Dharmarth Department has also been repaid. The net receipts from Roads, Interest and Road Toll have been 18 lacs. It has also been stated that the receipts from Customs have gone up by six lacs. Wherever there was a deficit before, there is now a surplus and it has been further stated that there will be a greater surplus in the Customs, Sericulture and Income Tax Departments

when there has been an all round improvement in our Budget and all heads are showing a steady improvement we naturally expect that Government will deal more liberally with the industrial and beneficient activities and will prove that it wants to utilize the surplus to the good of the people. But in spite of the Government's attention having been drawn to this fact repeatedly during the last two years by me and a few friends of mine, the Government has been very niggardly in spending on works of public utility. Already I have pointed out in the discussion of the last Budget the difference there is in the capital which the advanced States like Mysore and Travancore spend on Education and Industries and that spent in our State as also the difference in the pays of higher officers there and here. I don't want to repeat it, but it is pretty clear that our State is very backward in this respect. In spite of promises having been given in regard to the Resolutions which have been passed in the Praja Sabha and have been accepted, no provision has been made in the Budget to put them into practice. I want to refer just to one Session. I cite the instance of one or two resolutions which were passed in the House for the betterment of the people and were accepted by the Government also but for which no provision has been made in the Budget. Of these Resolutions one which was passed in the House and was accepted by the Government also relates to the starting of an Industrial Bank. The other Resolution was about the Unemployment Commission which was also passed in the House. But no provision has been made in the Budget for removing unemployment. This Commission had besides other things made recommendations for solving the problem of unemployment amongst the educated and we were assured that these recommendations will be put into practice much earlier than the Budget Session. In view of such important recommendations I had thought that provision will surely be made for them in the Budget. I read every item of the Budget very carefully but I did not find any "Item" earmarked for the purpose of solving the problem of educated unemployed.

Another Resolution came up before the House during the last session for the Industrial Development of the Country. At that time the House was informed that this resolution cannot be given any practical shape as long as the Unemployment Commission Report is not compiled and does not come before the Government. It was further stated that the Report of the Commission should be before the House before the Budget Session. And, as a result, the Report of the Commission was compiled considerably early and was received by the Government. But it is a matter of surprise that no provision has been made even for the Industrialization of the Country nor have funds been provided for meeting the expenses of the Industrial Commission although it was decided in a Resolu-

tion that such a Commission must be appointed. Another Resolution was also passed for providing medical aid at places where medical aid is not available at present. There is no doubt that very great provision has been made for this purpose as a result of which now the whole country will be flooded with medical aid as it is when the river Jhelum is in floods. Even so the subsidy that has been granted for Vaids, Hakims and Doctors is so great that it shall provide the entire country with medical aid. What is that amount? It is about 6,780 rupees and a few annas. Now you can realize for yourself the number of Doctors, Vaids and Hakims who will get subsidies and how much will be given per head.

MR. M. A. BEG : Five annas and a half.

PANDIT AMAR NATH KAK : From this it shall also appear how many Hakims will get subsidy and how many people will be benefitted by it. Well, at least some provision has been made for industrialization. It is a large amount. I should think no one will have any complaint in regard to the Cottage Industries. The Government has been very liberal in this matter in order that the Cottage Industries might develop. How very liberal the Government has been can be judged from the fact that the Government considers the amount of Rs. 5,900 sufficient for developing the Cottage Industries of the whole country. Some provision has been made for grant of loans to the educated unemployed; it amounts to Rs. 25,000 which they will have to return when they are in a position to earn their own living.

It is an admitted fact that unemployment is increasing here day by day. The unemployed are roaming in thousands from place to place but the amount provided against it in the Budget is most inadequate. All amounts over lacs of rupees are shown against works of not much consequence. It is no doubt right that four lakhs of rupees have been repaid as Loan, 6 lacs have been shown as Surplus and a still larger amount has been shown as Reserve. But no provision not even of a few lacs has been made for the Industrial Development of the country. There is no item to show that a considerable amount under the head Village Uplift has been spent.

I wish there has been any provision in the Budget for doing some work of real importance in the State and for this purpose there had been a provision of several lacs. At any rate there is an item under "Industrial Development" the figures for which extend over lacs. These figures read lacs no doubt but only when they are read wrongside first. To make the amount shown against this item look "big", it has been shown in decimal fractions so that it might seem as if the amount was many lacs. The sum of seventy-eight thousand rupees has been shown as .78 lacs and this has been done simply to make the amount appear imposing. All these figures show us that the Government was thinking of the

Budget in terms of figures only. In reality there has been no surplus in the Budget. At the time of the compilation of the Budget no attention was paid to the steps that may be taken in order to remove this increasing unemployment. The intention of the Government as it appears from the figures is not to remove the increasing unemployment in spite of the fact that it is on the increase everyday.

There are three things worth observing in the present Budget. One, a loss of more than five lacs in the Food Control Department met from its reserve which is now completely exhausted. I wish the attention of the Government had also been drawn towards the fact that by bringing under reduction the Food Control Department, a good many people will be thrown out of employment and will have no means of earning their livelihood. But not caring for this one hundred men were suddenly thrown out of employment and they are now wandering about in search of jobs. To whichever office they go, they are told "No vacancy" and they are neglected, on every side. They will receive this treatment, not once, nor twice but always. I wish the Government had ever thought at the time it turned out these one hundred men of the fate of their families and that if the Department is brought under reduction then several hundred of men besides will be thrown out of employment. Only if the Government had considered that by taking this step unemployment which is already on the increase will be still more aggravated. I wish this matter had been given some thought at the time of the framing of the Budget so that some provision would have been made for their livelihood and the grievance of the public would also have been removed. But this was not done.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : I am told that only 15 minutes are allowed for Budget speeches.

PANDIT AMAR NATH KAK : Not generally Sir. I would request you to please grant me a few minutes more. A member can speak on Budget for half an hour.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : But it affects the right of others. However the first two speakers will speak for 25 minutes.

PANDIT AMAR NATH KAK : 30 minutes if you please. The other speeches will be short.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : 30 minutes for each of first two speakers and then 15 minutes.

PANDIT AMAR NATH KAK : As the time at my disposal is short and much of it will be taken in attempts to understand and explain the Budget therefore I will be brief in my submissions.

In this Budget I have come across an amount specified for the tarring of the Roads *i. e.* 3 lacs have been provided for the tarring of roads. I didn't find this mentioned anywhere in the Budget Statements, but I have been told that this will be at the cost of

about three lacs in the provision for the maintenance and construction work. I have been further informed that by this provision of three lacs there will be a decline in the maintenance works. I know it for a fact because several persons complained to me that by this step about three hundred men who are working in this Department will be thrown out of work. For the last twenty or twenty-five years nearly three hundred men have been working in the Department on a work-charge basis. That entire class of people comprising the masons, the carpenters, the Iron smiths, mates and so on will be thrown out of work. Tarring of Roads did occur to the Government but no arrangement was made for the 300 people who will be thrown out of employment. It was never thought how will these people manage for their living. Now I expected that the Government will have provided in the next year's budget a sum of three or four lacs for the Industrial Development of the country, as the conditions may have permitted, which may have been utilized in some useful Industry so that all these people and many other unemployed could be absorbed. This would have removed unemployment to a considerable extent and there would have been signs of prosperity in the country. To achieve this end the Government could have made reductions in other heads of expenditure and provided the requisite amount so that it could be spent in order to remove unemployment. But in the Budget statement there is no such provision. We keep saving every year that Government should provide some amount for removing unemployment. But, on the contrary, the measures which Government adopts to balance the Budget are that the heads of income should be increased and the taxes be raised while in the items of expenditure particularly those which benefit the people directly there should be a reduction. We have repeatedly been urging that a sufficient reduction be made in the higher salaries and that the lower salaries may be raised. But it shall appear from a perusal of the Budget that even this year no reduction has been made in the larger salaries although the conditions demand this.

VOICES : "Hear, hear : that is the point".

But there appears no such possibility. I wish we could find in the Budget a reduction of 25 per cent. in the pays of the officials drawing over three hundred rupees and a reduction of 50 per cent. in the salaries of officials drawing over five hundred rupees and raised the pay of the low-paid officers by a rupee or half a rupee. It appears that at the time of the compilation of Budget the Government did not consider over this matter. The present Budget is the same as before and under the circumstances can it be regarded as satisfactory.

I do not want to take any more time. I shall content myself by citing just one instance from the heads of expenditure and the

other hon'ble members will take up the rest. We know Police is a necessary Head and is of utmost importance in keeping peace in the country. Besides there have been such developments in our country that there has been constant demand of increasing the police budget. I don't have much information as regards the requirements of the internal administration, therefore, I will not discuss it in detail, but I will simply place before you one very concrete instance which will enable you to form an idea of the other features of the Department.

There is one Inspector General of Police in the State. He has a Superintendent Police attached to him who works as his Personal Assistant. Besides him there are two Senior Superintendents of Police who are posted in the two provinces and work as District Superintendents. There are similar posts also in the C. I. D. Attached to the Inspector General is one Senior Superintendent of Police, one District Superintendent of Police and one Senior Superintendent of Police in charge C. I. D. This is the paraphernalia of the Inspector General alone. I don't know why so many officers are required in this Department. If they had been at all necessary, they would have been posted in the Divisions The case of other Executive Officers is also similar. We cannot understand the sagacity of the Government in increasing the pay and number of such officials.

On account of want of information I have contented myself by citing only one instance. Do the so many Police officials guide the policy of this Department well, so far as that goes, it is pretty clear. The exhibition of one of their activities was the Lathi charge on women.

VOICES : Shame, shame, shame.

Although there were definite instructions that there should be no Lathi charge on women. Is it for this reason that we are paying such huge salaries to the police officers. The other exhibition was on the occasion of a scuffle between the Police and the College students and the Government was obliged to appoint a commission. Is it for this reason that the police is being paid thousands of rupees on account of pay and the lower officers are paid several hundred a month. It was necessary that a reduction be made in the number and pay of higher officials but there is no example of this traceable in the present Budget. Under the circumstances this year's budget is neither satisfactory nor encouraging.

SHEIKH MOHAMMED AMIN : The Budget which Hon'ble Finance Minister has placed before the House, I am sorry to say, shows that the voice of the people has not at all been cared for. We find that the Government has increased its expenditure instead of reducing it. I want to make it clear on behalf of the Conference

Party that if the Government persists in spurning the public opinion then that time is not far when Government shall have to see a situation which we are already realizing. We do not want that the public money should be wasted so mercilessly by creating big posts. You will not find the like of this top-heavy administration even if you made a search. Last year it was because of this Budget that we boycotted it and protested against it in several ways. We hoped that this year the Government will surely have regarded our demand and provided more for works of public utility in the Budget and made some reduction in the big salaries. But we find things contrary in the Budget. I want to tell you the conditions prevailing in the other Indian States which will enable you to form an idea as to how far the Budget before us is satisfactory. I will presently bring home to you, Sir, imperfectness of the present Budget. It is really deplorable that such a budget has been placed before the House and it is all the more deplorable because this is being done in time of the present Hon'ble Prime Minister. The Budget has been compiled in such a manner that it cannot be encouraging in any respect. In support of this I will cite a few instances which will prove how much the other states are spending on works of public utility. The expenditure here is mostly incurred on administration. New posts are created time and again and public money is spent in lacs unnecessarily in utter disregard of public interests. Sir, in the first place I want to submit that I have prepared a statement which will show the extent of taxes which the Government realizes from the public and are without any return. The State realizes at present 58,39,800 from Land Revenue, 6,75,200 from Cesses, 5,54,000 from Grazing Fee, 5,19,000 from Irrigation 60,53,000 from Customs, 6,36,000 from Stamps, 2,50,000 from Income Tax, 9,50,000 from Road Toll which totals Rs. 1,54,77,000. I have left out those heads which yield some return to the people. More than half the revenue of the Government is from direct taxes. Many of the taxes are such as have been levied only recently. Now what has to be seen is the amount that is spent out of these taxes on works of public utility. I want to point out for the information of the House that 20,14,000 is spent on Education, 9,05,000 on Medical, 22,54,043 on roads, 8,43,792 on maintenance repairs, 97,000 on Industries, 2,07,000 on Irrigation which amounts to a total of Rs. 43,14,683. Now your honour shall see what amount is spent out of the direct taxes on works of public utility. Only 17 per cent. of the total revenue and 27 per cent. of the amount realized from public by direct taxes is spent for public good. The most regrettable item of Jammu and Kashmir State is the expenditure on Education *i. e.* eight per cent. (Shame, shame).

The point which deserves our chief attention is that this country

lags behind all other Indian States in Education. So far as I have studied the census report, I will submit that our State is very backward in Education even when compared with the other Indian provinces. Besides I will add that the library office is so incomplete as not to contain even a copy of the All India Census Report. (Shame, shame).

Anyhow, I want to state for the information of the House that there is no country where the percentage of the educated population is only five. Nowhere shall you see such a deplorable state and so little being spent on education. The assertion of the Finance Minister that grant for education has been raised and this year an additional grant of 20 lacs has been provided for education is very disappointing. Compare with other States and see how much is being spent there. I cite the example of Travancore. The Revenue of Travancore is less by three lacs than that of our State. But in spite of that the Travancore State is spending a great deal more on works of public utility while there the voices of the people are not spurned the resolutions which we pass here are virtually kicked aside. Perhaps a similar instance may not be easily traceable. If your honour will look into the statements of Travancore, it shall show the revenue which is realized from direct taxes and the expenditure that is incurred on works of public utility.

Travancore realizes 38,25,000 from Land-revenue, 92,80,000 from Customs, 5,50,000 from Income Tax, 19,50,000 from Stamps, 99,460 from Irrigation. Total 1,70,44,600.

The amount which is spent on works of public utility is as follows :—

Education	...		...	47,44,750
Medical and Public Health	...		...	12 77,130
Industries	...	...	..	3,37,083
Building and communication	...		...	26,75,110
Town planning scheme	...		...	10,00,000
Drainage scheme	...	...	...	7,43,200
Water supply to Muffasil Town			...	12,36,700

I will submit, Sir, that while the Revenue of Travancore State is less when compared to that of ours, much more is spent there on education. Hon'ble Prime Minister must be aware of the state of Education in Madras. So far as I know even in Trivandrum alone there are as many as 500 LL.B. Ladies. You can judge for yourself how far the education has spread there. Travancore has admittedly been regarded as an advanced State but our State which has larger income lags behind all. In the Travancore State 12,77,130 is spent on Medical and Public Health, 3,37,083 on Industries. Against it the greatest expenditure which is incurred here

is on the Establishment. Your honour might note the amount which is spent on Industries in the Travancore State. Rs. 40,000 are spent on experimental works alone. As against this only Rs. 3,000 are earmarked here for this purpose. But add to this the Government have appointed a Board of Industries which has no powers over anything. Just on paper it has been shown that they can advance loans to the extent of three thousand rupees. But your honour might note that they do not have a penny to advance as loan to anyone. Mr. Sharma has very often stated that in spite of the fact that we are members, we are not paid our T. A. Bills. Government should have kept with the Board about two lacs of rupees so that it could advance loans. We have to state, sadly of course, that here most of the money is spent on the pays of the officers.

In the Travancore Budget your honour will note that as much as Rs. 26,75,110 are spent on Building and Communications. Now your honour can judge for yourself how far advanced that State is. Besides Rs. 10,00,000 have been kept for Town Planning. When Mr. Wakefield was here, he had some interest in this line. It was in his time that Boulevard, the Hari Singh High Street and the Shalimar Roads were laid out. These are his memorials. After he left there has been no improvement and no Minister has given any attention towards the improvement of the place. No lorry or car can tread into the city but the Municipality charges Wheel Tax alright. Visitors have to face great hardships in going into the city for want of conveyance and a person who goes into the city once never thinks of going there again. Kashmir is known for its natural scenery and not because of the Kashmir Government. In Travancore Rs. 7,43,200 have been set aside for the Drainage Scheme and Rs. 12,36,700 for water supply to the Muffasil Towns. That is to say the total expenditure of Travancore State is Rs. 1,24,15,698. 50 per cent. of the total revenue is spent for public good and more than 100 per cent. of the amount realized from the public by direct taxes is spent for the public good. The expenditure on education is 20 per cent. This shows how much money is spent on works of public utility and against it only 10 per cent. is spent here on public works. 8 per cent. is spent on Education while 20 per cent. is spent on education in Travancore. Besides in other smaller states it is said with pride that we levy much less taxes when compared with the Government of India. We too should have very little of taxes so that the public may have no difficulty in paying them. We too used to say the same before *i. e.* that we have very few taxes in our State. But now there are so many taxes as will not be found in any Province of British India. Once I went to Jaipur and found that Jaipur had its own Railway and its own Telegraph Office. I chanced to pur-

chase a post card and found that Jaipur had its own stamp on it and the price of the envelope was two pice while that of the post card was one pice which I purchased from there and can show the same to you. In question of taxation Kashmir Government equals the Punjab Government and the rates of taxation are excessively high. If nine annas are charged for a telegram in the Punjab then the same is charged here. As regards Telephones there will be hardly more than fifty private connections which are mostly in Srinagar. There are not even five private telephone connections in Jammu. When a connection with Kashmir is sought it is charged at one rupee. The proper thing would have been to reduce the rate by a good deal so that the traders get more telephone connections and utilize them. It has been generally found that Government Officers keep talking on the telephone from Jammu to Srinagar and Srinagar to Jammu for hours together without any charge and the talk is generally of a private (non-official) nature.

SHEIKH MOHAMMED AMIN : Presently I will let you know of something regarding the affairs of Hyderabad State. It will be clear to your goodself that when the State is affected by economic depression and the poor subjects feel themselves unable to bear the heavy taxation and cannot pay the taxes, the Government remit the assessment of land revenue on them. But here our Government takes pride to show an increase in total estimates and therefore on behalf of it matters are discussed in such a manner which shows as if large amount has been spent on the works of public welfare. But in reality the case is the reverse.

In Hyderabad State when the market rate of grain falls the land revenue is reduced. I beg to invite the attention of the Hon'ble Finance Minister to the speech delivered by Sir Akbar Hydari at the time of the submission of the Budget Report. They have to provide different grants for the welfare of the people in the Budget and in this way they have kept lacs of rupees as reserve under these heads.

I beg to submit the Budget pertaining to Hyderabad State for the information of the House.

PANDIT LOK NATH SHARMA : He cannot give that reference.

MIRZA M. A. BEG : Under what rules?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Small extracts may be read out.

(Cheers).

NOTE.—Sheikh Mohammed Amin read out the following extract.

Extract from the speech of Sir Akbar Hydari (the Hon'ble Finance Minister Hyderabad State).

"At the time of each triennium or earlier if it is considered necessary the surplus of the previous years is distributed to the Departments generally and specially to those Departments

like Public Works, Education, Public Health, Agriculture etc., which are known as nation building Departments. There are also special reasons to meet specific objects to which annual contribution is made from the General Budget Finance Reserve and reserve for the redemption of Government Departments are instance in point. There is also industrial reserve the crops of which is used in financing large industries within the State and the demands occurring from these investments are used for giving help to Cottage Industries. Industrial surveys and Industrial training scholarships".

SHEIKH MOHAMMED AMIN : Besides, I will submit that at times of famine the people are advanced money from the Reserve Fund. When the Economic condition of the country becomes worse and the income of the zamindar falls then land revenue is considerably reduced. Interest is allowed on Provident Fund as well.

A VOICE : Interest is also given here.

SHEIKH MOHAMMED AMIN : Now Sir, I will place before you the figures of the Budget of Hyderabad State :—

		Rs.
1.	Land Revenue	3,02,50,000
2.	Trade and Commerce	1,01,34,831
3.	Stamps	21,00,000
4.	Irrigation	3,00,000
	Total ...	4,47,64,831

There is no Income Tax Department in Hyderabad State. The total revenue of the State is Rs. 8,82,06,800. Attention is invited to expenditure incurred on the works of the Public welfare.

Expenditure.

		Rs.
1.	Education	93,50,400
2.	Hospitals	27,09,790
3.	Irrigation	23,56,100
4.	Industries	3,78,700
5.	P. W. D.	87,11,500
	Total ...	2,35,94,600

Fifty per cent. of taxes realized from the public and twenty per cent. of the total revenue is spent for public good.

As regards our State the pays of the officers are increasing

day by day and no heed is paid in this behalf nor an attempt is made to cut down the unnecessary posts. But contrary to this the peons and clerks are affected by the retrenchment and they are discharged from service; and thus the deficiency in the State treasury which is caused by awarding promotions recklessly to the officers is being made at the sacrifice of the clerks and the peons.

Now I want to tell you something about the position of the Budget of the Mysore State *i. e.* what the Government of the State realizes from the people and what it spends for them.

		Rs.
1.	Land Revenue	1,21,86,000
2.	Taxes	21,90,000
3.	Stamps	17,35,000
	Total ...	1,61,10,000

The customs duty is not in vogue in the State. The total revenue of the State is Rs. 3,77,14,000.

Let us examine how much that Government spends for the public good :—

		Rs
1.	Education	53,05,000
2.	Medical and Public Department ...	16,16,300
3.	Grant for Public Health ...	4,59,000
4.	Government Service	4,76,000
5.	Irrigation	11,88,000
6.	Communication and Transportation ...	12,36,000
	Total ...	1,05,36,000

Twenty seven per cent. of the total revenue of the State and sixty-five per cent. of the taxes from the public is spent for public good.

The total revenue of Mysore State is Rs. 3,77,14,000/-.

Now I will compare the salaries of the Officers in Kashmir

State with those of the Officers in other States and shall explain how lavishly the money of the poor people and earnings of the zamindars are absorbed by the fat-salaried Officers in the State. This is the reason why the country is declining day by day.

I have prepared a detailed list which I will read to the House.

NOTE.—The hon'ble member read out the enclosed list to the House.

COMPARATIVE STATEMENT OF DIFFERENT STATES, REFLECTING THE TOP HEAVY GOVERNMENT OF KASHMIR STATE.

Kashmir State.	Pay. Rs.	Travancore.	Pay. Rs.	Baroda.	Pay. Rs.	Mysore.	Pay. Rs.
Prime Minister ..	4,000	Prime Minister ..	5,000	....	....	Prime Minister ..	5,000
5 Ministers ..	2,500	....	....	4 Ministers	1 at Rs. 2,000 2 ,, 1,500 1 ,, 1,400	2 Ministers ..	2,000 each
1 Chief Secretary ..	1,500 to 2,000	1 Chief Secretary	700	Cheif Secretary	600	Chief Secretary ..	1000
3 Dy. Secretary ..	400 to 600 each.	2 Secretarys ..	400 to 600	1 Secretary	270 to 450	Secretary ..	250 to 400
7 Secretary to Ministers.	400 to 600	....	....	....	....	.....	....
4 Assistant Secretary	300 to 400	6 Assistant Secretary	250 to 300	2 Assistant Secretary	190	Assistants ..	250
Chief Justice ...	2,100	Chief Justice	1,200	Chief Justice ..	1,500	Chief Justice ..	2,000
2 High Court Judges	1 300 each	Judges ..	900	2nd and 3rd Judge	1,000&700	Two Judges ..	1,500
Registrar High Court	445	Registrar ..	250	Registrar ..	300	Registrar ..	450
Dy. Registrar ..	310	Dy. Registrar ..	150	Dy. ,, ..	....	Dy. ,, ..	250
3 Sessions Judge ...	800 to 1,000	Session Judge ..	500 to 700	Session Judge ..	700	Session Judge ..	800
2 Governors ...	1,150 & 1,000	Governor ..	700 to 900	Governor ..	1,200	Revenue Settlement Civil Supplies Director of Land Records.	1,400
Director Land Records.	800	....	....	....	....	....	....
Chief Conservator of Forests.	2,225	....	....	....	....	Chief Conservator..	1,200

2 Conservators ..	900 to 1,100	Conservator ..	500 to 700	Conservator ..	550	Conservator ..	700
16 Dy. Conservator	250 to 700	2 Dy. Conservators	300 to 400	....	....	3 D. F. Os. ..	500
17 Assistant Conservators.	250 to 700	4 Assistant Conservators,	200 to 250	2 Assistant Conservators.	180 to 210	9 Asstt. Conservators	250 to 450
Director Industries...	1,500	Director Industries	300 to 400	Director Industries	400	Director Industries	1,000
2 Director Sericulture	800 and 700	....	....	....	....	Supdt. Sericulture	500
Inspector General Customs & Excise.	1,200 to 1,500	Excise Commissioner	500 to 700	Superintendent Customs.	300	Excise Commissioner	1,200
Accountant General	2,000	Accountant General	700	Accountant General	1,000	Accountant General	1,000 to 1,200
1 Dy. Acctt. General	600 to 800	Dy. Acctt. General	300 to 400	....	....	Dy. Acctt. General	500
Registrar Cooperative	600 to 800	Registrar Cooperative	300 to 400	Reg. Cooperative	300	....	....
Director Medical Services.	2,300	Director Medical Services.	700 to 900	Director Medical Services.	1,500	Director Medical Services.	1,400
Chief Medical Officers	750 to 1,000	Chief Medical Officer	500 to 700	Cheif Medical Officer	650	Chief Medical Officer	900
Inspector General of Police.	2,331 4 0	Inspector General of Police.	700 to 900	Inspector General of Police	1,000	Inspector General of Police.	1,700
1 P. A. to I. G. P. and 1 attached officer.	340 to 550	....	....	....	....	....	....
3 S. S. Police ..	1,800 and 2,550	....	....	2 S. S. Police ..	500	....	....
6 Supdts. Police ..	250 to 400	2 Superintendents	300 to 400	Supdt. Police ..	300	Supdt. Police ..	290 to 400
Director Education..	1,200	Director Education	700 to 900	Director Education..	775	Director Education	1,000
2 Chief Engineers P. W. D. and Electric.	1,200 to 1,500	Chief Engineers ..	700 to 900	Chief Engineer ..	900 to 1,200	Chief Engineer ..	1,400
Divisional Engineers	850	Divisional Engineer	500	Divisional Engineers	550 to 650	Divisional Engineers	500 to 800
Assistant Engineers	300 to 600	Asstt. Engineers ..	250 to 300	Asstt. Engineers ..	250	Assistant Engineer	200 to 450

A VOICE : What is the proof of it?

SHEIKH MOHAMMED AMIN : I have got the Budget of every State.

PANDIT AMAR NATH KAK : There are Dewans in other States.

SHEIKH MOHAMMED AMIN : Sir, the Prime Minister in Mysore State gets Rs. 5,000 as pay. I regret to say that Government wants to make comparison of the Chief Secretary of Kashmir State with that of the Hyderabad State the land-revenue of which is four times greater than the revenue of the Kashmir State. As regards salaries it will in no case be advisable to campare this State with Hyderabad State. I will tell the Chief Secretary just now that in other bigger States *viz*, Mysore, Baroda etc. etc.,the salaries of the officers are not so big as these are in the Kashmir State.

A VOICE : Do the Secretaries get Rs. 270 per mensem each?

SHEIKH MOHAMMED AMIN : Yes, they get from Rs. 270 per mensem up to Rs. 400 per mensem.

LALA SHIV NATH NANDA : They might be corrupt then.

SHEIKH MOHAMMED AMIN : Less than those of your State.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER : Where did you get these figures from?

SHEIKH MOHAMMED AMIN : From the Civil Lists of these States please.

SHEIKH MOHAMMED AMIN : Sir I have placed the figures before you. The House should now see for itself how heavy our administration is.

PANDIT R. C. KAK : You could have given figures of Congress Ministries. That would have served your purpose alright.

MR. M. A. BEG : But you are afraid of the very name of the Congress.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Anybody else to speak.

PANDIT RAM CHANDRA DOBEY (Written Speech) : In the beginning of the last year's Budget Sessions, the elected members of the Praja Sabha submitted a critique (a statement critising the Budget) in connection with the walk-out to the Hon'ble President for presenting it beofre His Highness the Maharaja Bahadur. But the statement was returned on 22nd October 1936 by the Hon'ble President with the remark that since the statement was not from all the Hon'ble Members of the Praja Sabha, it could not, therefore be placed before His Highness the Maharaja Bahadur.

Some important demands which were submitted by the elected members of the Praja Sabha in the last year's Budget Session are given as below :—

1. An adequate amount of money may be provided in the Budget for the Rural Reconstruction Work.

2. Sufficient funds may be provided in the Budget for the

improvement of agriculture and supply of water for irrigation purposes.

3. A great sum may be provided in the Budget for the supply of drinkink water in the *Kandi Illaqa*.

4. The number of medical dispensaries may be increased in the distant *Illaqas*.

5. An adequatte amount of money may be allotted in the Budget for introducing improvement in the Handicraft and Cottage Industries.

6. Great inconvenience is being felt in regard to the communication and transporation in the hilly *Illaqas*, where the roads are greatly needed. Particularly the Headquarters of every Tehsil may be linked with the other Headquarters of the surrounding Tehsils by a wheeled Traffic Road. Telegraph Offices may also be opened in the Headquarters of a Tehsil where no such arrangements have been made so far.

7. The trunk Roads of the District Headquarters connect the Provincial Headquarters, but at certain places the *Nallahs* and the rivers cut the *Illaqa* into two parts. Funds may be provided in the Budget for the construction of bridges over these *Nallahs*.

8. A sufficient sum may be provided in the Budget for education.

Besides due consideration may be given for the reduction of the following taxes which are intolerable to the poor subjects of the State :—

1. Taking into consideration the present rate of land-revenue, suitable reduction may be made thereof.

2. Similarly some arrangements may be made regarding the present rate of *Abiana*.

3. The fixed rates of Kahcharai fee should be abolished and instead the cattle which graze within the boundary lines of forests be charged Kahcharai fee from their owners.

4. Suitable reduction may be proposed in the electric fees.

5. The rate of Customs duties may be revised.

6. Measures may be adopted for the reduction of the rate of Income Tax.

In view of the above mentioned circumstances the following suggestions have been proposed to introduce economy in the increasing expenditure of the State.

(1) Reduction may be made in the pays of the fat salaried employees.

(2) Unnecessary posts in the Departments should be brought under reduction.

(3) The officials of those unimportant Departments which can be amalgamated with other Departments should be brought under retrenchment.

4. Retrenchment in the number of ministers and in Secretariat should also be given effect to.

So far as expenditure is concerned, the Budget should possibly be framed on the lines of the Budget of the year 1972. Besides schemes for improving the financial condition of the State may be suggested. Progress should be made in starting the industries in the State on Commercial principles. New factories should be opened with the help of the Government and the unemployed young men be given chances to work there.

In the Travancore State the system of Motor Lorry Traffic has been introduced on the lines of the State managed Railways system. This system has proved very useful for the removal of various troubles and inconveniences of the people. Such work may prove the best source of income to the State. There is a great scope in making progress in the mining and forest works in the State. It will not only enhance the income but will provide means of livelihood to the educated unemployed young men also.

If Government are ready to consider the above mentioned facts more sympathetically, then a detailed statement can be placed before the House and it is being hoped that immediate measures will be adopted to ameliorate the condition of the poor subjects and the budget which will be framed after considering these suggestions will also be acceptable to all in every respect.

NOTE.—The Member also quoted the remarks of the Accountant General and the Finance Minister made on the occasion which are given below.

RAI BAHADUR MR. JAGAT PERSHAD (Accountant General) : It was the duty of the elected members to guide the Government in right earnest way and point out that there is no need of a certain department or the separate post of an officer in a certain Department is not required. They should tell that such Department may be amalgamated with some other Department. I also believe in the fact that there are so many posts in the State which are absolutely useless and a burden on the Government, while others are such that by amalgamating them with others person can do the whole work by himself. Inspite of this I also agree to the suggestion that the scales of salaries should be standardized for certain posts. There are certain officers who are getting Rs. 1,500 per mensem while there are others who are appointed in the same grade and on the same post but are being paid Rs. 600 per mensem. It is, therefore, essential to fix the scale of salaries so that the pays of the officers of equal grades may be standardized.

Remarks of the Hon'ble Finance Minister as quoted by the member.

"The question of the revision of salaries is under consideration of the Government now-a-days. You will come to know about

its consequences within six month's period.

To state briefly the surplus would have been turned into a dificit if the amount of Rs. 4,75,000 which has not been charged to revenue were charged to revenue as was done on the previous occasion. The House can in no case endorse the totals shown in the Budget.''

LALA HANS RAJ : After having looked into the Budget and what I have heard about it, I want to make it clear to the House that from the time this arrangement has been undertaken there has been a great drain on the public treasury. All my friends are agreed on the point that land revenue is being raised and the very blood of the people is being sucked by the Customs tariff. There is no doubt that the State has made great progress and the income has gone up to several crores but there is nothing in the public treasury. When the revenue of the State amount to several crores, then what good has it done to the people. Are the people contented? Not at all.

During the last Budget Session I walked out at the instance of a few of my friends. Although I did not want to do so but I had to do it because of the majority opinion.

The purpose for which we have been sent here is to see to what extent are the people benefitted by the Budget and to what extent are they harmed and how is the money being wasted and what means are to be devised to add to the income. As the scriptures say no useful scheme will bear any fruit until the treasury is safe. I have been noticing it for the last forty years that the same routine has been going on while the country has not gained any thing in the proper sense of the term. Kashmir is a veritable paradise. I see today the same conditions prevailing here which I used to see 28 years ago. Of course, there has been this difference that big offices have been opened and big salaries are now being paid. Thus deducting their expenditure and that incurred on their T. A. etc., there is nothing left for being spent on the public and very little is spent on their uplift. The advance that the State has made and the income that has been added to the State—all that is divided by the officers amongst themselves.

VOICES : Laugher———Shame——Cheers.

LALA HANS RAJ : One poet has beautifully said but I would not recite the couplet here.

MR. M. A. BEG : Do please. We want to hear it.

LALA HANS RAJ : *''Men Azin Besh Na danam''*,

من ازین بیش نه دانم

the rest you will understand yourself.

کہ کفن دزدے چند

"Ki Kafan Duzde Chand".

بہر تقسیم قبور انجمنے ساختہ اند

"Bahiri Taqsimi Qabur Aunjmane Saktaand".

From the time I started the service of my country I have been aggrieved at heart. I wished to say to His Highness that there are many treasures in our country, therefore some schemes be thought out for the betterment of the country. In this connection I am reminded of a verse.

انکے بھرے خزانے برباد ہو رہے ہین
ذلت نصیب وارث غفلت مین سو رہے ہین

I am myself ashamed of using much strong words but I want to say that if my schemes are followed they will lead to great prosperity. There is no doubt that people would not let my Bill pass———Look to the Sharda Act; how much it was opposed but it was passed in the long run. I too hope that I will certainly be successful in my desire. At least I have placed before you in this Bill my ideas of forty years. I consider this also an achievement.

سچے پرشارتھ کبھی ہمارے بے ارتھ ہو سکتے نہیں
سنسار بھر کے بکن بھی کو تجو سکتے نہین

The people are oppressed, until the people are happy the State cannot progress because the people will remain unskilled. The State officials are looting the people like dacoits.....they are indeed more than dacoits. My friends have proved that a good deal of the money is being wasted and no useful work has been done. No attention is paid to the probelm of the poor people; their submissions are not listened to. I will submit in this connection that this matter has been under consideration of the Government for the last 24 years. The officers have pocketed one lac or a lac and a quarter of rupees by way of T. A. but to no purpose. We know that our officers are "England returned", but what of that. The Divisional Engineer does not want to dig a canal while we want it. There is no doubt that reforms take time, they are slow but here we do not even get slow reforms. We do not know what did the people gain by appointing this "Committee" *i. e.* Praja Sabha. I will say upon my honour that the people have not gained by the Assembly. The fact is that the members of the Assembly get T. A. and that is something at least. I was submitting that Budget copies should be sent round to the members

two months before the Session is held to enable them to ponder over it and if they have any objection, they can state it in the House. This is right procedure because the people can make their suggestions to the Government about losses etc. This is the only way by which the country can progress. I feel my remarks are taken for jokes and are put off with laughter.

VOICES : Not at all.

LALA HANS RAJ : At any rate I don't care for that. But I want to say to my friends that whenever there is any success it shall be by following this method. It was stated in the Budget speech that 40 thousand have been provided for village uplift. I have prepared a scheme for village reconstruction. When I sent this scheme to the people of the villages I received hundreds of applications which I have got with me. They say if this scheme is followed then, the entire country will be enriched. Next to Mahatma Ghandi's scheme mine is the best. I want to submit to you, Sir that if you want the country to prosper in the real sense of the term, then it is your duty to bring home to all those, who have come from abroad or from the big cities of India and are drawing thousands of rupees as their monthly salaries and are ruling over us, the importance of adding to the prosperity of the country. I pray to these people "for God's sake, do good to this country and make the poor people lead better lives ; reform the evils and earn the blessings of the poor". I say it with confidence that if your honour will try this scheme and put all that is contained in this scheme into force the country will be benefitted immensely.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : What are those schemes?

LALA HANS RAI : I will speak about that scheme on the day my Bill is to come up before the House. The present Budget is not a matter in my opinion for Government to pride over. It is not satisfactory in any respect and is therefor not dependable.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Yes, because no funds have been provided in it for Hamirpur Sidhar.

LALA HANS RAI : Our respectable Hon'ble Finance Minister, Thakur Kartar Singh Ji stated that no amount has been provided for Hamirpur Sidhar in this Budget. I will submit, Sir, that if there has been diluvion in our village his village has also been washed away by the rivers.

At present our Ministry is in the hands of very intelligant men. If Hon'ble Revenue Minister, Prime Minister and Home Minister were to make a tour of the *Illaqa* then it shall automatically dawn on them how poor the people are. Diluvion has done them incalculable harm. There has been a loss upto the extent of twentyfive lacs. Nearly ten thousand rupees have been spent on its estimate

but two sessions have passed and there is no mention about it. Some years ago when I was not a member of this House but attended it as a visitor, the late Sir Barjor directed me to keep away on the day the resolution was to be discussed lest my anger may create a scene in the House''. Nothing has been done upto this time for protection against diluvion although two years have passed and estimates were also prepared. Therefore it is my submission that some adequate amount be provided for this purpose in the Budget in order to save us from this calamity.

LALA AMAR NATH KOHLI : During the last Session in view of the fact that no attention is paid to the Resolutions or Bills which are passed in the House, the elected members thought it necessary not to participate in the Budget discussion. But this year we have participated and we want to see what fruits will our co-operation bring. By means of several resolutions, we made repeated requests to the Government for reducing the unnecessary expenditure and for providing funds for the Beneficient Departments. Regarding the present Budget my friend Sheikh Mohammed Amin has stated in detail. Anyway, I will add a little more. Amongst the direct taxes realized from us are also included Land-revenue, Income Tax etc. There are direct taxes which total one crore fifty lacs and thirty five thousand rupees. In spite of the fact that we pay so much from our own pockets we do not get any return It is said 53 lacs are spent on works of public utility *i. e.* only 33 per cent. of what is realized from us as direct tax is spent on us although this does not include the revenue from forests and several other Departments. If Rs. 97 thousands have been shown in the Budget for the Industries Department then what industries can be developed amongst a race of people numbering 38 lacs.

LALA SHIV NATH NANDA : What do you mean by ''a race of people''?

LALA AMAR NATH KOHLI : I have considered the entire population of the State collectively. You can all realize from the amount that has been provided as to how far will the Industries develop under the circumstances. Not long ago a certain person applied for help from the Government and wanted 1.3 lacs as advance. While this was granted the funds provided for the Industrial development of the entire country amount to only 97 thousand. When the question of the grant of 1.3 lacs came up before the Industries Board, it did not find sufficient reasons for grant of such a big loan. After enquiry they used their special powers and suggested that such a big loan may not be granted ; but the loan of 1.3 lacs had already been granted in his favour. In a similar way, a second time another Industry was granted Rs. 72 thousand and it was agreed to advance Rs. 12 thousand every year. When the matter came up before the Board, it decided that since

the funds are not sufficient for grant of Rs. 12,000 every year, therefore Rs. 3,000 be fixed as the maximum grant for an industry and that it is not reasonable to give Rs. 12,000 per annum as subsidy to a Department.

The other matter which I want to state is that Hon'ble the Finance Minister has shown "Police" as a Beneficient Department but there was the great exhibition of the beneficience of this Department about two months ago at Jammu. In spite of the fact that Hon'ble Prime Minister had issued clear orders that there should be no Lathi Charge on ladies, brutal lathi charges were made on them. Lathi charge is ordered at eleven in the night but even if a person was found out at about one, he was beaten with a lathi.

SHEIKH ABDUL HAMID : What was the object of wandering at one o'clock in the night?

LALA AMAR NATH KOHLI : The relatives of the people had sustained injuries. They were lying in the Hospital. Therefore the people used to go to attend them. Perhaps none of the relatives of the Vakil Sahib was wounded.

SHEIKH ABDUL HAMID : We had not taken part in the agitation.

LALA AMAR NATH KOHLI : There was a time when you had also taken part in the agitation but not this year.

As regards Road Toll, it has been stated that uptil now the Road Toll had been shown as an item of revenue under the Customs Department and in future it will be shown as revenue from the Public Works Department. What will we gain by this change? It can give us benefit in case the revenue of the Road Toll is spent on the maintenance of the roads on which it is being realized. There are many places where on account of the delapidated condition of bridges and roads the visitors are greatly inconvenienced. But in view of such circumstances, no provision has been granted in the Budget.

Under one item only a sum of one thousand rupees has been shown. The amount will be spent for the convenience of those traders and craftsman who will participate in outside exhibitions. So far as I know the sum is allotted for those people who have already gone away to Lucknow to participate in the exhibition, but nothing has been allotted for the people participating in the present exhibition at Lahore. It would have been better if the amount had been offered as subsidy to certain trader or manufacturer to enable him to take part in any exhibition and the industrial condition of the country would have been improved.

Now comes the item of the Mining Department. The total expenditure of the Department is Rs. 17,276. But the actual amount which is being spend on mining is only one thousand rupees and the remaining sum of Rs. 16,276 is spent on the establishment

of the Department and on Travelling allowances.

Under the Head of Mining Expenses, actual expenditure on the item in 1992-93 is the sum of Rs. 1,562 only. But as compared with this the Provision which has been made for the next year is one thousand rupees only.

Under these circumstances how can the industries of the State flourish when instead of big sums, meagre amount is provided in the Budget. It is just an illustration which I have submitted before the House. But if the other Departments are minutely scrutinized, it becomes impossible to think of remedy against the troubles of the public. In the present circumstances the Industries Department could do nothing for the public good. Sufficient amount should be provided for experimental works. We have been drawing the attention of the Government through resolutions and questions for the last three years that greater sums should be spent on Beneficient Departments, the grant for education should be raised, schools should be opened on a large scale and a science college be established in Kashmir. We have experienced that Government do not accede to the ordinary demands. If Lala Hans Raj is hopeful that is a different matter.

LALA HANS RAJ : If I live I would make the Government to agree to this.

PANDIT LOK NATH SHARMA : This is the difficulty. (Laughter).

LALA AMAR NATH KOHLI : In the end I will say that it was proposed in the last year's Budget Session that the pays of the officers drawing Rs. 500 per mensem or above be reduced by fifty per cent. In view of the demand most of the elected members had walked out. We thought that if Government would not entirely agree to the demand, then it would certainly be mindful of our requests to a certain extent. But the pay of any officer has not been reduced in the current year's Budget. As regards the Police Department, my Hon'ble friend Pandit Amar Nath Kak has said that there are two Personal Assistants, Senior Superintendent and Assistant Superintendents in the Department. But it has been centralized in such a way that one fails to understand why it is necessary to have so many officers in the Department.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : There are only two minutes left now.

LALA AMAR NATH KOHLI : In spite of the fact there are other officers *viz* C. I. D. Officers where the number of officers and constables is three and two respectively. Similarly there are other Departments in the State. It would have been better if the number of such Departments had been reduced. But no such item is traceable in the current year's Budget.

SARDAR KANHAYA SINGH : Sir, since the inauguration of the

Praja Sabha, the Budget has been introduced in the House and discussions have been made over it. Besides the resolutions which we have submitted all of them have been sent to Government and are on the record of the Government. The people thought that if not this year, something would certainly be done by the Government in the next year meaning thereby that it would not reject our resolutions. On the other hand it has always been expressed by Government that it will consider the matter. All the questions that have been put in the House were for the amelioration of the country. Moreover Government had also accepted various proposals and besides this certain resolutions were carried out. But our expectations are not fulfilled by introducing the Budget in such a manner. The people are disappointed. Government is also aware of the resolutions that have been accepted by the Ministers of the Provincial Governments in India and how they have minimized the expenditure of certain departments.

In these circumstances we also have a right to place our resolutions before the Government, not that people may be exempted from taxation and thus an obstacle may be placed in the administration of the Government but what we want is that bigger amounts may be spent for works of public utility. If a fairly large amount is spent for public utility, Government can surely realize more taxes from the people. But it is regretted that Government has paid no attention to the works of public utility.

Mr. Kak has given figures of the various departments in his speech and he has told the House which departments require particular attention. Such a burden of expenditure has been thrust on the country that no Indian State can stand comparison in this respect. Our country is full of hidden treasures. But it is regretted that Government do not take care to dig them out. Without any fear of contradiction I say that if Government devotes its attention towards this problem it is not difficult to get rid of unemployment in the State and the revenue of the State can increase from Rs. $2\frac{1}{2}$ crores to five crores. Big salaries are being paid to the officers in the State. Mr. Mohammed Amin has placed before us the Budget figures of the States of Travancore, Mysore and Hyderabad. We desire that pays should be reduced in this State also. At present we borrow the services of the ministers from outside the State. They may go on making fat salaries but we have a right to ask them with their experience of outside what they have done for the good of the people in the State. They usually remain in the State for six years and afterwards they go back. But it is a pity that they do not do anything praiseworthy in our State. They are the retired officers of the British Government and get pension from that Government. They have no dearth of money. If they reduce their pays it will have a good effect on the low paid officials and will prove useful in

the long run. The Congress Ministers have raised the salaries of the subordinate services and have reduced their own salaries. This is not the case here. The subordinate servants are like your children but how can they maintain themselves by a meagre increase of a rupee or two in their pays. If the big officers cut down their salaries, we shall then say that the Government has taken a step towards the betterment of the country. If that is not done the Budget shall not satisfy us. I will not discuss the Budget figures but would submit that sufficient funds be provided for works of public utility. The Ministers who have to stay here for four or five years should pay attention towards the works of public utility so that we may say that they have really done some thing praiseworthy in the State.

The present Budget does not satisfy us at all. So long as the Government does not take steps to improve the works of public utility and so long as it does not do anything for the poor, the condition of the public cannot be bettered nor can the Government succeed. The people pay land-revenue and fill the treasury. They pay various other taxes. The Government should pay attention to the people, who run its machinery and should win their good wishes. By doing this it should set an example and win the good wishes of the coming generation also. We put questions but the replies given to us are either that the matter will be considered or "funds do not permit".

There are many treasures in our country and it is very rich. Why does the Government not invest money and unearth these treasures so that the people could prosper. Our country resembles Switzerland. Why is money not spent on its improvement. Why do not these rich men, capitalists and big officers who draw high salaries and own lots of money and property pay any heed to the poor. If the Government wants peace, it should take up works, which will ameliorate the condition of the people.

LALA SHIV NATH NANDA : Why don't you think of the Sikhs to-day?

SARDAR KANHAYA SINGH : It has become a habit of Mr. Nanda to interfere with others. I did not like to raise any communal question in this general discussion but as he has reminded me of the Sikhs, I will certainly say something about them.

The Sikhs are a warrior race but they are backward. Why does the Government not grant scholarships to Sikh Young men, like other educated young men of the State and depute them outside the State so that they could learn arts which would enable them to dispense with service. The Sikhs have generally been deprived of stipends. If the Government will grant us scholarships according to our needs, we will not take to service. We generally find unrest among educated young men for want of employment. If the Government wants

to get rid of them, they should be given more scholarships so that they may learn some arts and be able to earn their livelihood. I would also like to submit for the information of the House why people in general want service. It is because in service they start with two hundred and go upto eighteen hundred. It is therefore necessary to discourage this by reducing salaries and spending more on works of public utility.

NOTE.—Colonel Abdur Rahman stood up to speak.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) (To Colonel Abdur Rahman) : You can speak for seven minutes only but you cannot get so much time to-day. Let the Hon'ble Prime Minister say what he wants during this little time. You will get time to-morrow.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER C. I. E. (Hon'ble Prime Minister) : Sir, I desire to submit to your decision one or two points relating to the correct procedure which we should adopt when we reach the stage of discussing in detail the items of the budget. I state these points to-day because I am anxious that my hon'ble friends on the opposite side should not have a grievance, if on the day these detailed discussions are taken up I feel compelled to raise points of order which may come as a surprise to them. I find that in the previous years a certain procedure has been followed which it seems to me is not quite in accordance with the constitution on which we work or with the Rules of Business with which we have to comply. You will remember Sir, that in rule 85 of the Rules of Business it is provided that subject to two clear days' notice a member may ask a question and move a resolution on any item of the budget in the head allotted for discussion during the two days. My first submission to you Sir, is that rule 86 says that except as otherwise provided in rule 85 the asking of budget questions and the moving of budget resolutions shall be subject as far as may be to the general rules 33 to 40 in regard to the asking of questions, and rules 69 to 82 in regard to the moving of resolutions.

For the moment we have nothing to do with questions. I confine my remarks now to the question of moving resolutions on budget items. Well, with regard to the words used in rule 85, my first submission to you Sir, is that any item in that rule can refer only to an item of appropriation in the budget and the authority I would quote for your consideration is Section 36 of Regulation No. 1 of 1991. The last sentence of that section says "During the time so provided and subject to the provisions hereinafter contained and to any rules or standing orders any member of the Assembly may ask a question or move a resolution regarding any appropriation of revenue or moneys proposed in the statements or regarding the form in which the statement is laid on the table".

Therefore my first contention Sir, is that every resolution of

which hon'ble members will give notice must relate to an item of appropriation and I particularly stress this point because I find notices have been given, in previous years, of resolutions suggesting either reduction in the rate of taxation or some alteration in the revenue of the State as provided for in the budget. Such resolutions had been taken up and discussed. I find from a preliminary copy of resolutions that have been received that notices this year have been given on the same lines as in the previous years. I understand that orders have not yet been passed on the admission of these resolutions and I thought I should submit this point to you before you actually passed orders. For instance there is a notice of a resolution which says "This Praja Sabha recommends to the Council that export duty should be charged only on those commodities the export of which may effect local industries". I would submit to you Sir that it is not a resolution which can be moved on the budget. There are several similar resolutions of which notices have been given.

The second submission I would make to you Sir is that even with regard to items of appropriation there is a restriction provided by Regulation No. 1 of 1991 and that is contained in section 41 which reads that "No proposal shall be made or resolution moved for the appropriation of any revenue or moneys or any purpose except by or on the recommendation of the Council". So that any resolution which says that this Sabha recommends that fifty thousand rupees be allotted for a particular purpose cannot be in order on the budget. What therefore you can do is, what is done in Democratic Assemblies in the world on the budget; that is, you can only propose reduction in the items of appropriation in the budget and what I want the Hon'ble members to do is to see, when framing their resolutions, that the restrictions indicated in the consitution or Rules of Business are complied with. If you want a substantial reduction in the amount provided for a particular item of expenditure that question would be discussed. If you want to raise a question of policy you can propose a nominal reduction and say that you want to discuss the policy. That is exactly the reason why at this stage I want to raise this point of order because I do not want you to have any grievance afterwards I do not want to take the members of the Sabha by surprise by raising a point of order at the proper moment when the President may rule the resolution as irregular. I have raised this point so that the Hon'ble President may give his ruling.

LALA HANS RAJ : The speech of the Hon'ble Prime Minister must be very important therefore it should be translated for our sake.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The procedure of this Praja Sabha has been framed in accordance

with the conditions prevailing in this country. But the experience gained from the outside world is not carried into effect fully. The proceedings are becoming inconsistent. Whatever is going on here is generally a copy of the outside world and which is generally being misunderstood. If correct procedure has to be followed I shall on an objection being raised have to give ruling in accordance with the law in force. When questions are submitted to me I correct them by making certain changes in them so that they may be brought under the rules the same practice has been followed in the case of resolutions also. Most of the resolutions and the questions are such that they do not fall within the rules. If they remain as they are submitted in that case nearly 50 per cent. will have to be rejected. If any member raises an objection I have to say that in fact that do not come under the rules. But at the same time it has to be taken into consideration that the Praja Sabha is only a child of three years. As it grows older it will become wiser and it will take some time. But it is also necessary that it should from the very start possess good character and should be promising. Therefore the principal of asking the Budget questions and moving the Budget resolutions which has been placed before the House by the Hon'ble Prime Minister should be taken into consideration.

If we have to strictly follow the rules of procedure in regard to these resolutions which have been received uptil now it will not be right. Therefore before giving a ruling it will be better for you to study the rules of procedure in the light of the objection raised by the Hon'ble Prime Minister and those who would like to speak on this point would be given time to-morrow.

PANDIT AMAR NATH KAK : The ruling of the late President relating to the questions and resolutions sent by us are there. The speech of the Hon'ble Prime Minister which has been made to-day goes definitely against those rulings. If that is followed no work can be done.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Yes, it is correct. In this session we shall work according to the previous practice.

MIRZA M. A. BEG : It is better to follow the past practice for the present.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It is 4 o'clock now and we shall adjourn till to-morrow.

The House adjourned till next day the 6th of October 1937.

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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

6TH DAY

(6th October 1937)

BUDGET GENERAL
SEVENTH SESSION
OF THE
FIRST J. & K. PRAJA SABHA.



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JAMMU AND KASHMIR PRAJA SABHA.

Wednesday, the *6th October 1937.*
21st Assuj 1994.

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the Chair.

QUESTIONS AND ANSWERS.

316. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Does the Government know that the people applied for the opening of primary schools in the Gulabgarh Division Sahar Circle at Malan, Balat Kot, at Jasoot Nala Sher Garhi and at Maman Kot?

(*b*) Will it please be stated why have primary schools not been opened in those places so far?

(*c*) Will Government remove the difficulties of the people by starting primary schools there? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister): (*a*) Yes. An application was received from Ali Mohammed, Zaildar of Dewal to open schools at Malan, Meman Kot and Jasoot.

(*b*) Other places were found more important by the Education Standing Committee.

(*c*) The question will again be placed before the Education Standing Committee.

MAJOR MIRZA ATTA MOHAMMED KHAN: Will it certainly be done? (Laughter)

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes, if it is worth this.

MAJOR MIRZA ATTA MOHAMMED KHAN: Yes, it is worth this. (Laughter)

317. MAJOR MIRZA ATTA MOHAMMED KHAN: Will Government appoint an Arabic teacher in the Upper Middle School in Gulabgarh Division at Dewal? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: There is no Upper Middle School at Dewal. There is, however, a primary school at this place, and in primary schools Arabic teachers are not appointed.

MAJOR MIRZA ATTA MOHAMMED KHAN: My question pertains to the opening of a primary school at Dewal and the appointment of an Arabic teacher in that school.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Arabic teachers are not appointed in primary schools.

318. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Does the Government know that in village Badar, Gulabgarh Division, the zamindars have to undergo a great loss in the produce of the *Abi* land due to scarcity of water?

(*b*) If the answer to part (*a*) be in the affirmative, then, will Government grant reasonable help to the zamindars of the place in the digging out and construction of Kuhl and arrange for its survey? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) No.

(*b*) Does not arise. However, if a definite report is made by the zamindars the question will be considered on merits.

MAJOR MIRZA ATTA MOHAMMED KHAN: Is my question wrong? Sir, my submission is that, if reply to my question is in the positive, why then the right answer is not given?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): I have not received the reply. Please keep a note about it. You may question in the next session.

319. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Does the Government know that agriculture can thrive only if there are canals? If it is a fact, then it may please be stated why is the Government not paying any attention to this urgent need?

(*b*) Does the Government know that a canal can be brought from the village Hatta-Talwar, which is a confluence of the river Chenab and the river Ans to Akhnoor whereby the Kandi and Maidani Illaqa of Akhnoor and plains can be irrigated and this can also add to the income of the Government?

(*c*) Will Government undertake its survey and provide funds for the construction of this canal? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) The matter has been receiving the attention of the Government. A sum of Rs. 83,29,802 has so far been spent on the construction of canals. The Zainagir Canal was constructed at a total cost of Rs. 11,00,000. The Nandi Kuhl Canal which is under construction now will cost Rs. 67,000.

(*b*) This can only be determined when survey is made for the canal in question.

(*c*) Answer given in A and B above may be referred to.

MAJOR MIRZA ATTA MOHAMMED KHAN: Sir, this question was about the Hon'ble Revenue Minister. It was by his orders that during Sardar Mohammed Akram Khan's time, when he was Wazir Wazarat, Reasi that a survey was made and the canals measured. It is time that money may be sanctioned for it. The Overseer, Reasi, has also submitted his report. It was for the Hon'ble

Revenue Minister to reply and not the Hon'ble Home Minister.

320. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Does the Government know if there is any law in the Tehsils of Reasi D s-trict whereby the Patwaris and Girdawars ask the zamindars and the Vand-dars to carry their Dak and Bastas without any payment ?

(*b*) (*i*) Does the Government know if there is any such law whereby the Dak of the Tehsils of Reasi District has to be carried by the zamindars and Chowkidars without any payment ?

(*ii*) Does the Government know that this is a great hindrance in the discharge of duties by the Chowkidars and is doing great deal of harm to the zamindars in their cultivation and domestic duties ?

(*c*) If the answer to part (*a*) and (*b*) be in the affirmative, then, will Government stop this procedure and put an end to this hardship of the people ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) No.

(*b*) (*i*) No.

(*ii*) No.

(*c*) Government will make enquiries.

MAJOR MIRZA ATTA MOHAMMED KHAN: Will reply to M. Ahmed Yar's question be read ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (Governor Kashmir): You are asking about which question ? That will come later.

321. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Will Gov-ernment please state the different rates of revenue charged per kanal in the Sialkot, Gujrat, and Jehlum Districts of the Punjab which lie on the boundary line of the State and also the rate of Revenue per kanal in the different districts of Jammu Province ?

(*b*) Does the Government know that the land of the Districts of the Punjab is much better in quality than the land of the districts of the Jammu Province ?

(*c*) Will Government please state whether the revenue which was fixed per kanal for every kind of land in the revised Settlement was greater than the rates of revenue prescribed in the Punjab Province ?

(*d*) Does the Government know that the revised S ettlement fixed double the revenue fixed by the last Settlement ? What has been the increase per kanal for all kinds of lands ?

If the price per kanal in the rate of revenue in the State be greater than that in the Punjab, then will Government decrease these high rates ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Reply to Q. D. No. 167 put by Ch. Abdullah Khan during the current session and also reply to a

similar Q. D. No. 177 put by Mian Ahmed Yar Khan during the last session may be referred to in this connection.

MAJOR MIRZA ATTA MOHAMMED KHAN: Whatever has been said about the Chowkidars of District Reasi has not been replied to. They are made to carry Dak of District Reasi without any remuneration. It has not been replied to.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: Reply to this has been given in connection with question 320. But nothing has been said about the zamindars who carry Dak without any remuneration.

Mr. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It has been replied. If some special instance is brought into the notice of the Hon'ble Revenue Minister, then, he will certainly make an enquiry.

MAJOR MIRZA ATTA MOHAMMED KHAN: Sir, the Chowkidars are made to carry Dak without any compensation ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The Hon'ble Revenue Minister says that inquiry will be made.

MAJOR MIRZA ATTA MOHAMMED KHAN: Sir, if it is proved, will some action be taken ?

THE HON'BLE MR. K. N. KNOX (Revenue Minister): Proper action will be taken.

322. MAJOR MIRZA ATTA MOHAMMED KHAN: (*a*) Does the Hon'ble Home Minister know that a canal can be brought from the lower part of Shukar Marag to the street of Peer Rattan Shah which is at a distance of three or four miles from Shukar Marag ?

(*b*) Does the Hon'ble Home Minister know that this canal irrigating Thana Illaqa joins Toli Thana and Rajouri, and removes the problem of water-supply as far as Nowshera, Deva and Vatala and makes these Illaqas more fertile ?

(*c*) Will Government provide funds in this years' budget for opening such an important canal ? If not, why ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) and (*b*) There is no scheme for such a canal under contemplation of the Public Works Department. The location of this canal can only be determined when requisite survey for its alignment is made.

(*c*) It is not possible to provide funds for the purpose in the absence of a scheme.

323. MIAN QURBAN AHMED: (*a*) Will the Hon'ble Revenue Minister kindly state whether he has issued any such order that if any body desires to get State-subject certificate he should get his papers sent from the Wazarat to the Dogra Sabha Jammu for certifying ?

(*b*) If the reply to the above be in the affirmative, will the Hon'ble Minister incharge state when Anjuman Islamia Jammu and other Associations have passed resolutions, submitted them to

the Government and published them in newspapers that Dogra Sabha is not a representative body of Muslims and that such papers should be sent for certification to the Anjuman Islamia or the officers should themselves investigate the facts and issue certificates ?

(*c*) Has the Hon'ble Minister incharge stopped this practice of sending the papers to the Dogra Sabha and instead of it issued orders to send them to the Anjuman Islamia ? If not, why ? Is he prepared to issue such orders in future ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) No.

(*b*) and (*c*) Do not arise.

324. LALA HANS RAJ: (*a*) Will Government please state in which boarding-houses the servants have been dismissed and what benefit has accrued to the Government by doing so ? Are the students put to trouble and loss on account of this ?

(*b*) Is the fee charged from the students residing in the boarding-house of Bhimber High School more than the actual expenses of the boarding-house or not ?

(*c*) Are Government prepared to maintain the boarding-houses or not ? If not, what are the reasons therefor ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: A report has been called for from the Director of Education in this connection. On receipt of his report this question will be replied to.

LALA HANS RAJ: My submission is that Government do not know 25 per cent. of it. This is not a new question. The concerned members can draw the attention of the Hon'ble Ministers to certain things.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Please put some new question if you mean to ask anything more.

LALA HANS RAJ: Sir, my submission is that, if the concerned members draw the attention of the Hon'ble Ministers, will they give consideration ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: We are always at your service.

325. LALA HANS RAJ: (*a*) Are Government aware of the fact that the Juvenile Smoking Regulation is not being generally enforced and the school boys are in general addicted to this evil?

(*b*) Will the Government please enquire about it and provide such means at an early date whereby this law may be properly enforced ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) Government have made no enquiries but are not prepared to say that the hon'ble member's impression is wrong.

(*b*) The present Regulation is difficult of enforcement. The

Government will, however, examine whether it is possible so to amend it as to render it capable of being used for putting down the evil of juvenile smoking.

LALA HANS RAJ: It may be enquired from the House whether the students suffer from this bad habit or not ? (Laughter)

326. LALA HANS RAJ: (*a*) Do Government know that the seeing of demoralising pictures and dramas is seriously affecting the people especially the youngmen and the increasing devotedness to fashions is harming them ?

(*b*) If the answer be in the affirmative, when will the Government adopt any measure to check this practice ? If the answer be in the negative, what are the reasons thereof ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The Government have no information on the subject. If the member has any specific case in view, he might bring it to the notice of the Board of Censors.

(*b*) Does not arise.

LALA HANS RAJ: Thanks.

327. LALA HANS RAJ: Will the Government please state whether at the time of election people get themselves elected as members by corrupt means ? If the answer be in the affirmative, then is there any likelihood or not of both the Government and the people being adversely affected ? If it be so, will the Government please adopt preventive measures in this behalf ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The Government have no information on the subject.

(*b*) Does not arise.

328. LALA HANS RAJ: Are Government aware of the fact that many an immoral people in the guise of Sadhus and Faqirs who live on begging commit offences and cause many evils ? If it be so, will the Government themselves adopt preventive measures in this behalf or not ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The Government have no information on the subject.

(*b*) Does not arise.

LALA HANS RAJ: Will some definite reply be allowed, or it will be passed over in one minute ?

NOTE.—No reply was given.

329. LALA HANS RAJ: Will the Government please enquire and state as to what action was taken on the report submitted by Janam Singh guard of post Bengli, Tehsil Bhimber, District Mirpur on 14th Bhadon 1992 against the Mahaldar and the person who imported goods without paying the customs duty and what was the result thereof ? Did the Mahaldar make a fictitious

entry in the register that the goods were missing ? Did he make the trader concerned file a case against Janam Singh guard that he (Janam Singh) misappropriated the sum of Rs. 25 which was entrusted to him for the payment of the duty and concealed the invoice of the goods ? What has been the result of that case ? Is it a fact that the above mentioned guard who had acted in loyal manner was first transferred and then suspended and afterwards he was compelled to tender apology ? Will the Government please conduct a detailed inquiry through an honest officer and throw light upon the fact of the case so that in future there may be no misappropriation of the customs duty ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH (Finance Minister): (1) Janam Singh guard was directed more than once during the last two years to go to Manawar and produce proofs before the Deputy Inspector of the Division in support of his allegation but he never cared to comply with these orders and instead submitted evasive replies to the Inspector.

(2) There is no evidence to credit the story that the Mahaldar had induced the trader to lodge a criminal case against Janam Singh. This case was filed by the court.

(3) The guard made a complaint but he failed to substantiate the allegation made against a Mahaldar. Apparently this charge was frivolous. He refused to submit proofs to the Deputy Inspector on the latter's demand to enable him to conduct the enquiry against the Mahaldar.

(4) The Department is always prepared to conduct inquiries promptly in such cases if the complainants come forward to substantiate their complaints against subordinate officials.

330. LALA HANS RAJ: Will the Government please state as to why the shed has not so far been built in the Jammu Saddar Court according to the promise given by them ?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): So far as the record goes no promise appears to have been made by the Judicial Minister that a litigants' shed in the Jammu Saddar Court shall be erected during the current financial year.

LALA HANS RAJ: Sir, I am in possession of the number, date and the reference books, to which I can refer this matter. I can show the written promise made by Sh. Abdul Qayoom. It is not with me.

PANDIT RAM NATH SHARMA (Judicial Secretary): But no promise was given for making a shed.

PANDIT RAM NATH SHARMA: I made an inquiry from the Praja Sabha Secretary and he said that there was no record. I have replied after having enquired from the Secretary (the Secretary, Praja Sabha).

LALA HANS RAJ: All right, I shall prove it.

331. LALA HANS RAJ: Do Government know that at present there is insufficient accommodation for indoor patients in the Jammu Hospital and sometimes the patients are kept in the verandahs etc., whereby they experience much trouble ? If it be so, will the Government please pay attention to provide more accommodation at its earliest convenience ? Will any amount for increasing such accommodation be provided in the budget of the current year ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The construction of a new upto date Hospital at Jammu is under immediate consideration of the Government. This will remove the inconvenience caused to the indoor patients at present.

332. LALA HANS RAJ: Do Government know that under commands of His Highness the Maharaja Bahadur the improper practice of "Ghalla Batai" which was in vogue in the villages of Jagirs previously was abolished according to Notifications Serial No. 52 and Serial No. 58 dated 20th December 1930 and 18th April 1931 respectively issued by the Revenue Department and that at the end of the Settlement of 1979-80 the "Jama" was fixed in cash and that the zamindars of village Raipur Damana, Tehsil Jammu have received "Dhalbach" for the payment of revenue in cash, but zamindars are forced to pay revenue in kind instead of cash and the Government is supporting the payees ? If it is so, how will Government account for this injustice ? When and how will this practice be stopped ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Yes, but subject to certain conditions and exceptions, as laid down in para 2 of Notification No. S-52, dated the 20th December 1930. Any conversion of payments in kind into payments in cash can be given effect to on the expiry of the present Settlement in the case of non-proprietary Jagirdars only. The case of village Raipur Damana is under consideration.

333. LALA HANS RAJ: Will the Government please state whether the lands and houses of the zamindars of village Raipur Damana, Tehsil Jammu, are situated on either side of the canal ? A bridge over the canal had been constructed for the zamindars which having been in a wretched condition was not constructed again by the Irrigation Department whereby the zamindars have to travel three miles' distance and have to face great troubles in carrying the plough, bullock cattle and other necessary articles for Zamindari purposes. All this means a great loss to them. Will the Government please do away with this grievance of the public by constructing pucca bridge over it ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: There used to be a bridge at the site, but it was not considered necessary to

re-erect it being superfluous as there exists a pucca bridge only half a mile above the one under reference and it would not be a long detour for the zamindars and their bullocks.

LALA HANS RAJ: Has the Hon'ble Home Minister seen this bridge ? I request to see it sometime, while taking a stroll.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: I shall certainly see it.

334. COLONEL ABDUR RAHMAN KHAN: Last year in reply to my question the Hon'ble Prime Minister stated that the High Court of Judicature would be empowered to hear appeals in cases decided by Raja Sahib of Chenani, but so far this question has not been settled. The inhabitants of Chenani are very much anxious about it. When will it be settled ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): The matter is under the consideration of the Government.

COLONEL ABDUR RAHMAN KHAN: For how long it will remain under consideration ?

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary) : So long decision is not made.

335. COLONEL ABDUR RAHMAN KHAN: It is now more than two years since license for shooting was made compulsory in the Jammu Province but no watcher etc. has been appointed. Only a few people have got license on payment of fee but most of the people go a hunting in a cruel and irregular manner without the payment of license fee and there is no body to check them.

Will Government make some satisfactory arrangement by paying immediate attention to this matter ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): Game Preservation in the Jammu Province is vested in the Forest Department for Forest areas and in the Revenue Department for areas outside the Forests. Game Staff is being gradually provided as far as financial considerations permit.

336. COLONEL ABDUR RAHMAN KHAN: (*a*) In Illaqa Udhampur there are certain places wherefrom water can be obtained for irrigation purposes and thus the Illaqa can be made more prosperous.

(*b*) A model farm for the agriculturists can also be set up there. Would Government pay immediate attention towards this profitable scheme ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The Government is not aware of any such places, nor have they been specified in the question.

(*b*) No suitable piece of Khalsa land in the Tehsil exists for this

purpose. Arrangements are, however, in hand to start a demonstrative tenants farm in the vicinity of Udhampur Town.

337. COLONEL ABDUR RAHMAN KHAN: Did Government in reply to my question last year promise that sheds for protection from sun and rain would be provided for the litigants of Udhampur District, but how is it that no practical steps have been taken so far ?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): So far as the records go the Judicial Minister has not been able to find out if any promise has been made by his predecessor for the building of a shed for the litigant public attending the Court at Udhampur.

If the Udhampur public make an application to the High Court and if the High Court should recommend the construction of a shed the application and the recommendation will be considered sympathetically so far as the finance and other urgent matters permit.

COLONEL ABDUR RAHMAN KHAN: Have not the Government felt for the inconvenience of the public; and will the subjects have to submit an application to this effect ?

PANDIT RAM NATH SHARMA: It has been replied that sympathetic consideration will be given.

COLONEL ABDUR RAHMAN KHAN: Yes, it has been said that the case will be considered over sympathetically, but is an application submitted by fifteen or twenty persons, more authentic than my statement, who is a representative of the public.

NOTE.—No answer was given.

338. COLONEL ABDUR RAHMAN KHAN: (*a*) Will Government please state that if any Hindu embraces Islam, he is disinherited from his ancestral property ?

(*b*) And if a Muslim embraces Hinduism he is entitled to get his full share from the ancestral property ?

(*c*) Does it not amount to supporting "Shuddi" on the part of the Government ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The convert ceases to be an heir and loses his share in joint family property. He does not lose his personal and separate property.

(*b*) The Mohammedan Law is the same as the Hindu Law on the point. The convert to Hinduism can not inherit from his Mohammedan relations.

(*c*) Does not arise.

COLONEL ABDUR RAHMAN KHAN: Is he not disinherited from his ancestral property ?

RAI SAHIB PANDIT RAM CHAND KAK: It has been replied that he is disinherited.

SHEIKH MOHAMMED AMIN: It may please be stated, whether the ancestral property which has been divided, and which is already in his possession, whether he will be dispossessed of that also ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The answer is clear ; he does not lose his private property.

339. COLONEL ABDUR RAHMAN KHAN: Is it a fact that there is no college for girls in either of the provinces of Jammu and Kashmir and girls who are desirous of acquiring education in college have to read along with the boys whereby Pardah Nashin girls are deprived of further education ?

Would Government in view of the fact that co-education has resulted in many evils arrange for opening a separate college for girls as early as possible ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The answer to the first part of the question is in the affirmative. The number of girl students attending the State colleges is very small and so a separate college for women cannot be opened. Special scholarships are already provided in the budget for girl students for acquiring higher education in women's colleges in British India.

MIRZA MOHAMMED AFZAL BEG: Will a separate college be opened for the girls when their number increases ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes, a separate college will be opened for them.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This is a hypothetical question.

MIRZA MOHAMMED AFZAL BEG: He has already replied it, Sir.

340. COLONEL ABDUR RAHMAN KHAN: Do Government know that there are certain villages near Udhampur like Hartaryan, Mand, Seni etc., which are at a distance of six or seven miles from the District Court of Udhampur and thirty or forty miles from Reasi but that these villages are included in Reasi District ? The inhabitants of these villages have submitted applications even before this to the Hon'ble Judicial Minister in this behalf but so far Government have not given any attention to this. Will justice be done to them so that they may be saved from the troubles of long and weary journeys ?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): An application on behalf of certain villages in the vicinity of Udhampur has been received and the matter is pending for final decision by the High Court.

341. COLONEL ABDUR RAHMAN KHAN: (*a*) Are Government aware that for the last six years there have been constant disturbances in the State and consequently there prevails disorder in the country and communal bickerings in different communities ?

(*b*) Every person is of opinion that there was some hand of the State officers in the riots ?

(*c*) Will Government adopt some effective means in future whereby it would be possible to put an end to this disorder and amicable relations may be established as before ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) There have been some disturbances—more perhaps than is good for healthy living in the State.

(*b*) Government are not aware that every person is of the opinion mentioned.

(*c*) Government have been doing all they can in the direction indicated.

COLONEL ABDUR RAHMAN KHAN: Was any order issued by the Government ?

RAI SAHIB PANDIT RAM CHAND KAK: What about ?

COLONEL ABDUR RAHMAN KHAN: Regarding riots.

RAI SAHIB PANDIT RAM CHAND KAK: The Government are taking steps to this effect.

COLONEL ABDUR RAHMAN KHAN: Was it not the opinion of every body that State employees were taking part in it ?

RAI SAHIB PANDIT RAM CHAND KAK: This is a new question.

342. COLONEL ABDUR RAHMAN KHAN: In reply to my question the Hon'ble Home Minister was pleased to state last year that there is a need of a play-ground for Udhampur High School and it would be provided very soon.

Will this need be fulfilled as early as possible ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The matter is already under consideration.

343. COLONEL ABDUR RAHMAN KHAN: Is it a fact that in spite of being bound down by securities, the employees of Co-operative Banks have misappropriated money of the members of Co-operative Societies, but neither any effective action has been taken against them nor the money has been refunded to the members so far ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: Employees of Co-operative Banks sometime misappropriate money. They are sometimes prosecuted and made to refund money. This is the general procedure adopted in cases of misappropriation. More definite information will be supplied to the Praja Sabha Sad when any concrete case or cases are quoted by him.

344. COLONEL ABDUR RAHMAN KHAN: Will Government please state the number of employees together with their designation and pay in each Department of each Tehsil of Udhampur District ?

How many of them belong to Udhampur District ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble

Prime Minister): The information required has so far been supplied as regards to Revenue Department only. A statement has been placed on the table of the member. The total number of employees of the Wazarat and Tehsils including the employees of Kahcharai Department is 160 out of whom 128 are the inhabitants of the Udhampur District. The number of Patwaris is 178 out of whom 87 are the inhabitants of Udhampur District.

List of Patwar employees of Udhampur District.

Office Qanoongos.		*Girdawar Qanoongos 1st grade.*		*Girdawar Qanoongos 2nd grade.*		*Girdawar Qanoongos 3rd grade.*		*Patwaris 1st grade.*		*Patwaris 2nd grade.*		*Patwaries 3rd grade.*		*Paid apprentices.*		*Peons.*		No. of employees residing in Udhampur District.
No.	Monthly pay.	No.	Monthly pay.	No.	Monthly pay.	No.	Monthly pay.	No.	Monthly pay.	No	Monthly pay.	No.	Monthly pay.	No.	Monthly pay.	No.	Monthly pay.	
								Udhampur.										
	Rs.		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.	
1	44	1	44	1	36	1	30	7	20 16		18 8		16 2		15 3	11		13
								Ramnagar.										
1	44	...	.....	3	36	..	....	7	20 14		18 7		16 3		15 3	11		13
								Ramban.										
1	44	1	44	1	36	1	30	8	20 12		18 5		16 2		15 3	11		7
								Kishtwar.										
1	44	2	44	...	.....	1	30	8	20 8		18 8		16 3		15 3	11		24
								Bhadarwah.										
1	44	1	44	1	36	..	.....	7	20 8		18 11		16 1		14 2	11		30

List of employees of Revenue Department (including Grazing) Wazarat Udhampur.

Serial No.	Name of office.	Designation.	Amount of pay.
			Rs.
1	Wazarat Udhampur ..	Sadar-Qanungo ..	82
2	,, ,, ..	Mohasib ..	55
3	,, ,, ..	Ahalmad Mal ..	55
4	,, ,, ..	English Clerk ..	27
5	,, ,, ..	Ahalmad Diary ..	35
6	,, ,, ..	Naib-Mohasib ..	30
7	,, ,, ..	Naib-Sadar-Qanungo ..	20
8	,, ,, ..	Mohafiz Daftar ..	25
9	,, ,, ..	Nazir ..	22
10	,, ,, ..	Copyist ..	20
11	,, ,, ..	Moharrir Syah ..	25
12	,, ,, ..	Naib-Mohafiz Daftar ..	25
13	,, ,, ..	Sub-Overseer ..	56
14	,, ,, ..	Jamadar ..	16
15	,, ,, ..	Peons No. 8 ..	16 each.
16	,, ,, ..	Gardener ..	12
17	Revenue Asstt's office ..	Clerk I ..	56
18	,, ,, ..	Clerk II ..	31
19	,, ,, ..	2 Peons ..	12 each.
20	Tehsil Udhampur ..	Moharrir Mal ..	32
21	,, ,, ..	Wasilbaqi Navis ..	34
22	,, ,, ..	Syah Navis ..	20
23	,, ,, ..	Cashier ..	32
24	Tehsil Ramban ..	Moharrir Mal ..	32
25	,, ,, ..	Wasalbaqi Navis ..	25
26	,, ,, ..	Syah Navis ..	25
27	,, ,, ..	Cashier ..	21
28	Tehsil Ramnagar ..	Moharrir Mal ..	31
29	,, ,, ..	Wasalbaqi Navis ..	25
30	,, ,, ..	Syah Navis ..	20
31	,, ,, ..	Cashier ..	21
32	Tehsil Kishtwar ..	Moharrir Mal ..	32
33	,, ,, ..	Wasalbaqi Navis ..	21
34	,, ,, ..	Syah Navis ..	25
35	,, ,, ..	Cashier ..	32
36	Tehsil Bhadarwah ..	Moharrir Mal ..	28
37	,, ,, ..	Wasalbaqi Navis ..	30
38	,, ,, ..	Cashier ..	21
39	,, ,, ..	Syah Navis ..	32
40	,, ,, ..	Grazing Clerk ..	21
41	,, ,, ..	Copyist ..	23
42	,, ,, ..	Peons of Tehsils in No. 9 ..	12 each.
43	Tehsil Udhampur ..	Guards for Rukhs in No. 3	12 ,,
44	Tehsil Ramnagar ..	Guard for Thalora ..	12 ,,
45	,, ,, ..	Chowkidars for Smadh Ramnagar in No. 4 ..	12 ,,

Serial No.	Name of office.	Designation.	Amount of pay.
			Rs.
46	Every five Tehsils ..	Kahcharai Girdawars in No. 5	30 each.
47	Tehsil Ramban ..	Moharrir pass for Ramban	24
48	,, ,, ..	,, ,, ,, Doda ..	16
49	,, ,, ..	Peons for Moharrir pass for Doda ..	8
50	Every five Tehsils ..	Peons for Grazing Girdawars in No. 4 ..	11 each.

COLONEL ABDUR RAHMAN KHAN: After how long the lists of other departments will be supplied ?

RAI SAHIB PANDIT RAM CHAND KAK: As soon as they are available they will be supplied to you.

COLONEL ABDUR RAHMAN KHAN: In this very session or in the next session ?

RAI SAHIB PANDIT RAM CHAND KAK: In the next session.

345. WAZIR GANGA RAM: (*a*) Is it a fact that Bakhshi Suraj Prakash sent a book of English to the Text Book Committee for being passed as a text book for schools ?

(*b*) If the reply to (*a*) be in the affirmative, will Government please state what was the opinion of the Board about it ?

If the opinion was in favour of this book, then on what grounds Government did not select it ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes.

(*b*) Out of five members of the Sub-Committee appointed for reviewing the books in English, only one member gave a favourable opinion regarding this book. It was, however, put up at the general meeting of the Text Book Committee, but was rejected.

MR. JAGAT RAM ARYAN: What was the opinion of the Director of Education about this book ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: This matter pertains to the Text Book Committee.

MR. JAGAT RAM ARYAN: Why the book written by Mr. Suraj Prakash Bakhshi was not accepted ? What was the individual opinion of every member on it

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This s new question.

346. WAZIR GANGA RAM: (*a*) Are Government aware of the fact that Hindu community protested against " Tawarikh-i-Hind" (Indian History) by Messrs. Mohammed Shafi, Mohammed Hussain sanctioned this year on the ground as improper attacks were made on the Hindu culture in this book, therefore such like books should not be taught in schools ?

(*b*) If the reply be in the affirmative, then, it may please be stated what orders have the Government issued with regard to such books ?

(*c*) If Hindus have been held justified in their protest it may please be stated what steps Government has taken against sanctioning such books in future ?

(*d*) Are Government prepared to take non-official members in the Text Book Committee so that such situation may not arise again ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes.

(*b*) The book will be discontinued from the next year.

(*c*) The Text Book Committee has been reconstituted and three non-official members placed on it.

(*d*) Yes, see answer to part (*c*) above.

347. WAZIR GANGA RAM: Will Government please state what books written by the State-subjects were placed before the the Text Book Committee ?

How many of them were sanctioned and how many rejected ?

What are the reasons of rejecting them ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The following books written by State-subjects were placed before the Text Book Committee in 1937.

1. English Readers by Suraj Prakash Bakhshi.
2. English Grammar and Composition by S. A. Rashid.
3. Arithmetic by Master Mohammad Daud.
4. Arithmetic by Shanker Lal and Mohammed Hussain.
5. Arithmetic by Sarup Nath.
6. Arithmetic by Mohammed Hussain.
7. New Middle School Geometry by Shridhar Koul and Jia Lal Panditta.
8. Urdu Readers by the Kashmir Publishing Company, Srinagar.
9. Urdu Readers by Mir Mohammed Hussain.
10. Jadid Silsela Geographis for Middle classes by Fazal Haq.

Books at Nos. 2, 7 and 10 were sanctioned as text books. Those at serial Nos. 3, 4, 5, 6, 8 and 9 were rejected as they were not according to the revised syllabus. The books at No. 1 were not considered superior to those prescribed as text books in English.

348. WAZIR GANGA RAM: (*a*) Do Government know that few of the books were evidently of the non-State-subject authors but by changing their title pages and putting down the names of State-subject authors thereon, the books were got sanctioned by the Text Book Committee ?

(*b*) If the reply be in the affirmative, will Government please state why such books have been sanctioned and are Government

SRI PRATAP COLLEGE LIBRARY,
SRINAGAR.

prepared to appoint a commission consisting of official and non-official members to inquire into this matter ? If not, why ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes, only two books.

(*b*) The question is already receiving due consideration.

349. WAZIR GANGA RAM: (*a*) Is it a fact that before the annual session of the Muslim Conference took place, a few reliable and peace-loving Muslims sent telegrams to the Government Kashmir and Raja Sahib of Poonch requesting them not to allow Muslim Conference to hold its session in Poonch and wherein they clearly stated that it would produce unhealthy effects on the simple-minded people of this Illaqa ?

(*b*) If it be a fact, will the Government please state what action was taken on the telegrams ? If no action was taken what are the reasons for it ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) Telegrams were received from various people in Poonch requesting that permission to hold the Conference should not be granted, as there was apprehension of trouble if the Conference were held.

(*b*) Government considered it unnecessary to take the action suggested in the telegrams but kept themselves in touch with the developments in connection with the session.

LALA RAM LAL VAKIL: Was Conference meeting held after sending wires ? Was not agitation started after the meeting of the Conference ?

RAI SAHIB PANDIT RAM CHAND KAK: This is a new question. It requires notice.

350. WAZIR GANGA RAM: (*a*) Is it a fact that at the time of the session of Muslim Conference, a procession was taken out by the Conference Party in Poonch, the processionists carrying naked swords and loaded pistols in their hands ?

(*b*) If the reply to (*a*) be in the affirmative, were all of those swords etc. registered and will also Government please state why did Government give permission for taking out such a procession which was a source of terror for the inhabitants of Poonch ?

Have Government issued orders for seizing such pistols in future ? If not, why ?

WAZIR FEROZ CHAND (Wazir Poonch): (*a*) Out of more than 300 volunteers and a large number of delegates and visitors who formed the procession, about 30 were armed with swords. None of them carried a pistol.

(*b*) There was no reason to believe that swords were unregistered. The procession was not a source of terror to the inhabitants of Poonch. The last portion of the question, therefore, does not arise.

LALA RAM LAL VAKIL: In reply to part (*b*) of the question it has been said that there was no reason to believe that the swords were not registered. Was any inquiry made to this effect ?

WAZIR FEROZ CHAND: No complaint was received about it.

LALA RAM LAL VAKIL: It has been said that the procession was not a source of danger to the subjects. Did not a Poonch deputation wait upon the Government to this effect that the procession will prove dangerous for the people ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This is a matter of opinion.

351. WAZIR GANGA RAM: (*a*) Will Government state in detail for the information of the House the demands of the agitators of Poonch ?

(*b*) Which of these have been accepted by the Government ?

WAZIR FEROZ CHAND: (*a*) The demands that were finally placed before the Poonch Administration were as follows:—

(*i*) That the persons who were convicted and were undergoing imprisonment in connection with the Jail agitation be released from prison ; pending cases withdrawn and orders under Section 108-A of the Criminal Procedure Code given against various persons in the same connection withdrawn.

(*ii*) That the demarcation of Forests in the Sadhnuti and Bagh Tehsils be suspended for the present.

(*iii*) The import duty on grains be remitted.

(*iv*) That the rules, regulations and resolutions of general nature passed by the Praja Sabha and accepted by the Government be enforced here.

(*v*) That the various Commissions of enquiry appointed in pursuance of the resolutions of the Praja Sabha be invited to this Illaqa.

(*vi*) That a Commission of non-officials with an official President be appointed to enquire into and submit its recommendations about the various grievances which the Illaqa people had.

(*b*) The first demand was accepted by the Poonch Administration with this proviso that the cases under Section 124-A pending against two persons would be withdrawn only on submission by them of written apologies. The second demand was accepted. The third demand was also accepted. In this connection it may be observed that as far ago as Maghar 1992 import duty on grains imported through Customs Posts situated between Kohala and Chhechan was remitted and the question of remitting this duty on imports through other posts of the Illaqa was also under consideration since Poh 1993 and the delay in sanctioning this remission was due to the fact that necessary statements and figures were not

received from the Superintendent Customs until the end of Jeth 1994, when the agitation in connection with the Jail incident had commenced. The remission of this duty was sure to have been sanctioned in the ordinary course even without the demand in question having been made at this time.

With regard to the fourth demand it was made clear by the Poonch Administration that the Regulations in force in the State were enforced in the Illaqa as a matter of course and that the resolutions of the Praja Sabha that were accepted by His Highness' Government were carried into effect here also so far as they were applicable to the Poonch Illaqa.

With regard to the fifth demand, it was stated by the Poonch Administration that Commissions of the type referred to in the demand would be appointed locally to enquire into the matter and report.

With regard to the sixth demand, the reply given was that Sri Raja Sahib Bahadur had full sympathy with his people in the demand for removal of their legitimate grievances and necessary action in this connection would be taken shortly. These demands were neither made to nor otherwise dealt with by His Highness' Government.

LALA RAM LAL VAKIL: Was not this their demand that Dr. Ram Singh may be discharged from the post of Chief Medical Officer ?

WAZIR FEROZ CHAND: There was no such demand.

LALA RAM LAL VAKIL: If there was no such demand, then did not Sh. Mohammed Abdullah, while presenting other demands of the Muslims, demanded that Dr. Ram Singh may be suspended from his post ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It was not asked like that in the question. This is a new question.

LALA RAM LAL VAKIL: It has been said just now that there was no such demand. My submission is, whether Sh. Mohammed Abdullah did not make this suggestion, that Dr. Ram Singh may be discharged from his post ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing Wazir Feroz Chand) Will you please attend to this ? It is difficult for me to hear him from that place.

WAZIR FEROZ CHAND: (Addressing Lala Ram Lal) No.

MIAN AHMED YAR: Who were the gentlemen who presented these demands before the Poonch Government ?

WAZIR FEROZ CHAND: Sh. Mohammed Abdullah, Pt. Prem Nath Bazaz and Sardar Budh Singh.

MIRZA MOHAMMED AFZAL BEG: Was the member justified in calling these gentlemen agitators ? These questions were submitted to the Hon'ble President first, and then circulated to the Ministers.

PANDIT JIA LAL KILAM: Agitator is not a bad term. I would like myself to be called an agitator. (Laughter)

352. WAZIR GANGA RAM: Will Government please state for the information of the House how much money was spent on suppressing the recent Poonch agitation ?

WAZIR FEROZ CHAND: Rs. 14,300.

353. WAZIR GANGA RAM: Is it a fact that one Ahmed Shah started civil disobedience movement in Poonch and the District Magistrate issued non-bailable warrants against him and when Police went for its execution in the village, thousands of people assaulted the Police ? If it be a fact then, may it please be stated what action was taken against the assailants ? If no action was taken, what is the reason for it ?

(*b*) What action was taken by the Government against the said Ahmed Shah ?

WAZIR FEROZ CHAND: Ahmed Shah threatened to start civil disobedience and proceedings were started against him under section 107, Criminal Procedure Code. As he was always escorted by 50 to 60 followers armed with *lathis*, the local Police did not go forward to arrest him. There was, therefore, no occasion for an assault being made on the Police. The last part of the question does not arise.

(*b*) Proceedings under section 107, Criminal Procedure Code, are still going on against him in the Court of the District Magistrate.

LALA RAM LAL VAKIL: Will Government please state as to what date the case has been postponed ? The Wazir Sahib has said that it is pending ; but I maintain that it is not pending ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You cannot contradict it.

354. WAZIR GANGA RAM: (*a*) Do Government know that in the statement issued by Sheikh Mohammed Abdullah, Pandit Prem Nath Bazaz and Sardar Budh Singh on their return from Poonch, it was stated that the root cause of the Poonch agitation was based on economic depression and that the charge against Dr. Ram Singh for insulting Holy Quran was false etc., etc.

(*b*) If these facts were true then, may it kindly be stated what action was taken against the prisoners for making false charges and intrigues etc. ? If no action was taken, what are the reasons for it ?

(*c*) If the allegations are untrue, then why D. Ram Singh was discharged from Jail duty when, on his training, Government spent such a huge amount and whose record of Government service is stated to be unblotted ?

(*d*) Do not Government consider that such incidents are prejudicial to the prestige of the Government and interfere with the administration ? If so, why it is done ?

WAZIR FEROZ CHAND: (*a*) Yes.

(*b*) It was not considered expedient to make any further enquiry into the matter.

(*c*) The transfer of D. Ram Singh was considered necessary on certain grounds of Administration.

(*d*) Does not arise.

LALA RAM LAL VAKIL: Why further inquiry was not conducted in the case against prisoners ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This is a matter of opinion.

LALA RAM LAL VAKIL: I don't want to discuss but I want to know whether there was any sense in it ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): I reject this question.

LALA RAM LAL VAKIL: It has been said that Dr. Ram Singh was transferred in the interest of administration. I want to know what were those administrative grounds ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Are you prepared to disclose it ?

WAZIR FEROZ CHAND: No, Sir.

355. MIAN QURBAN AHMED: (*a*) Will the Hon'ble Prime Minister please state how many hereditary State-subject certificates of class 1 were issued to the Hindus, the Muslims and the Sikhs from 1987 upto the appointment of Committees for inquiring into the validity of the State-subject certificates ?

(*b*) As a result of this inquiry by the Committees how many of these certificates of the Hindus, Muslims and Sikhs were confirmed and how many cancelled ? How many of these were withdrawn by the Dogra Sabha and how many were filed ?

(*c*) How many employees were dismissed from service as a result of the inquiry of the Committees and what is the number of the Hindus, Muslims and Sikhs who were appointed on these vacancies ? Figures pertaining to the Technical departments like Engineering, Medical and Forests are particularly and those of the rest of the departments are generally required ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The member is referred to the reply given to part (*a*)(*i*) of Q. D. No. 447 on 20th October 1936.

(*b*) Certificates of 379 Hindus, 142 Muslims and 3 Sikhs were confirmed, while 150 certificates of Hindus, 105 of Muslims and 26 of Sikhs were cancelled. 429 applications were withdrawn in Jammu Province by the Dogra Sabha and 166 in the Kashmir Province by other persons. 32 cases were filed.

(*c*) The information asked for is not immediately available, but will be ascertained and communicated to the member if he so desires.

Q. D. No. 447 : (*a*) Will Government place before the House for the information of the public a statement of the certificates issued by every officer, showing the following particulars:—

(*i*) Name of the officer.

Answer.—(*i*) The member is referred to the lists of persons to whom State-subject certificates have been granted for the last five years with the names of the issuing authorities which have been appearing in the Government Gazette from time to time.

MIAN QURBAN AHMED: I enquired about the names of the persons appointed at the posts thus fallen vacant, for the information of the House. The reply ought to have been given in the House. It is not for me to desire it.

RAI SAHIB PANDIT RAM CHAND KAK: It will be replied in the House in the next session.

356. MIAN QURBAN AHMED: (*a*) Are Government aware that the inquiry and the cancellation of the State-subject certificates of class I issued from 1987 only has given rise to much complication ; for instance the State-subject certificate of class I of one brother is cancelled and that of the other confirmed, or of father confirmed and that of the son cancelled and *vice versa* or certificate of the husband cancelled and that of the wife confirmed and *vice versa* ?

(*b*) If the reply to the above be in the affirmative, will Government please do away with these irregularities and

(*c*) Do Government intend to inquire into the validity of the certificates issued prior to 1987 ? If not, why not ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) and (*b*) One or two awkward cases have come to the notice of Government but Government are not aware that the number of such cases was large or that there was "much" complication.

(*c*) Government have no present intention of doing so.

357. MIAN QURBAN AHMED: (*a*) (*i*) Are Government aware that the Muslims are under the impression that the primary object of inquiring into the validity of the State-subject certificates issued after 1987 was to eliminate in this way all those Muslims from service who secured appointments as a result of the Muslim agitation or the Glancy Commission recommendations ?

(*ii*) And that the certificates issued prior to 1987 were not challenged on account of the fact that they were mostly issued to the non-Muslims because in those days very little attention was paid to the recruitment of the Muslims in the Government service ?

(*iii*) If the reply to the above be in the affirmative, in what way do Government intend to remove this grievance ?

(*b*) Are Government aware that the All-Jammu and Kashmir

Muslim Political Conference in its annual meeting held at Mirpur unanimously resolved that the Muslim employees of whatever class of State-subject they may be should in no case be dismissed from service on account of the fact that their representation particularly in technical departments is very poor ?

(*c*) If the reply be in the affirmative, will the Government please review the cases of the Muslim employees ? If not, why not ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) (*i*) Government are not aware of the existence of any such impression in the minds of Muslims in general. The Committees to enquire into the validity of the certificates were set up at the persistent request of State-subjects, both Hindus and Muslims.

(*ii*) and (*iii*) As it was alleged that most of the certificates issued after 1987 were not *bona fide*, the Committees were appointed to enquire into their validity. The necessity of fixing 1987 was due to the fact that the definition of hereditary State-subjects was promulgated shortly before 1987 and non-State-subjects began to take out hereditary State-subject certificates in large numbers.

(*b*) The Government are not aware of any such resolution having been passed by the Muslim Conference.

(*c*) Does not arise.

358. MIAN QURBAN AHMED: (*a*) Are Government aware that most of the decisions of the Committees set up to inquire into the validity of the State-subject certificates are wrong through and through but no right of appeal or review was allowed ?

(*b*) If the reply to the above be in the affirmative, what steps will the Government take to correct such wrong decisions and orders and to make amends for the injustice done ? If not, why not ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The Government have no reason to believe that the decisions of the Committee are wrong in every case but if any body is aggrieved by the decision of the Committee he is not without remedy.

(*b*) Does not arise.

359. MIAN QURBAN AHMED: (*a*) Are Government aware that His Highness the Maharaja Bahadur issued strict instructions to the Revenue officers to the effect that they should not send to Dogra Sabha for certification any case of State-subject certificate but that the Revenue officers should hold an independent inquiry themselves ?

(*b*) If the reply to the above be in the affirmative, will Government please take action against the Revenue officers particularly the Wazir-i-Wazarat, Jammu, for contravening the commands of

His Highness; inasmuch as they have been referring such matters to Dogra Sabha for obtaining its certification ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) No such information is available from the records.

(*b*) Does not arise.

360. MIAN QURBAN AHMED: (*a*) Are Government aware that there is an unrest in some quarters due to the present State-subject definition ?

(*b*) And are Government aware of the fact that different associations and societies for instance All-Jammu and Kashmir Muslim Political Conference, Ahmadiya Association, Singh Sabha, Hindu Sahayak Sabha etc. in general and domiciled community in particular have from time to time raised voice for amending it ?

(*c*) Are Government aware that Dalal Committee, the Glancy Commission, the Franchise Commissioner and other leaders like Mr. S. M. Abdulla, Sardar Budh Singh and Pandit Jia Lal Kilam have from time to time expressed their opinion for effecting amendments in it ?

(*d*) Are Government aware of the fact that no similar instance is to be found in any civilized country or any other State and this definition is extremely stringent ?

(*e*) Are Government aware that the domiciled community is very poorly represented in the Praja Sabha and thus any private bill is difficult to be passed ?

(*f*) If the reply to the above parts be in the affirmative, will Government introduce themselves a bill for amending this definition or will remove the unrest of public by modifying it by executive orders ? If not, why not ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) There is dissatisfaction in some quarters.

(*b*) Yes.

(*c*) The Government are aware of the views expressed by the Dalal Committee, Glancy Reforms Commission and the Franchise Committee. They however proposed no specific amendments in it. Government have no information as to what amendments the gentlemen mentioned favour.

(*d*) The Government cannot commit themselves to an answer to the first part of the question as they are not in possession of information regarding all other civilised countries and States. The suggestion in the second part is a matter of opinion.

(*e*) The domiciled community is not poorly represented considering its numbers. It is, however, not the only set of people interested in a proper definition of State-subjects.

(*f*) Government have no intention now of adopting either of

the courses suggested.

361. Withdrawn.

362. MIAN QURBAN AHMED: (*a*) In reply to my question Q. D. No. 95, part (*c*), it was stated by the Hon'ble Home Minister that there is only one Muslim 2nd Master in all the high schools of Jammu and Kashmir, who has studied upto the Matriculation standard and passed the Junior Anglo-Vernacular Examination?

(*b*) Will the Hon'ble Home Minister please state as to why L. Jewan Mal, 2nd Master, Pt. Paras Ram, Lala Mohan Lal, L. Bhagwan Das, Lala Jagan Nath and Mian Qamar-ud-Din who are far junior to the Muslim 2nd Master, are getting higher salaries than him inspite of the fact that they too are Matriculates and Junior Anglo-Vernacular ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes.

It is all a question of seniority. All these teachers are senior to M. Umar-ud-Din, 2nd Master, hence they are getting higher salary.

363. MIAN QURBAN AHMED: Will the Hon'ble Revenue Minister please state as to how many factories have been started in the State by providing concessions and monitary help from the Government? The names of the owners of such factories together with the amount given to them as aid or the concessions may be stated. How many amongst these are Muslims and how many non-Muslims? If such concessions and monitary help has not been given to any except one, it may be stated as to whether the policy of the Government is to keep the Muslims backward in the industrial line as is being done in the case of Government services ?

(*b*) And is it also a fact that even now all the concessions and aids are granted to the non-Muslims? If the reply to the above be in the affirmative, will the Government please issue orders to the effect that the Muslims may also get suitable share in this direction ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): A list of the factories with the details required is placed on the table of the Praja Sabha Sad.

Of these, loans and concessions granted in favour of individuals are only 9. The others are Joint Stock Companies and firms which include both Muslims and non-Muslims. Government is anxious to see that deserving Muslims come forward to start industries and ask for concessions. More Muslims could not be granted any concessions because they did not apply for them. Two more applications from Muslims are under consideration.

(*b*) This does not arise.

List of Factories etc.

Monetary aid only.

The undernoted factories have been granted monetary aid or other concessions by the Government:—

1. The Bhagats' Kashmir Silk Weaving Mills, Srinagar.
2. Hydro-Electric Works, Muzaffarabad.
3. Shree Karansingh Woollen Mills Ltd., Srinagar.
4. Kashmir Pottery Works, Jammu.
5. Jammu Tannery, Jammu.

(B) Concessions only.

1. Kashmir Match Factory, Baramulla.
2. Santonin Factory, Baramulla.
3. Kashmir Chemical Co. Ltd., Jammu.
4. Himalaya Soap Works, Srinagar.
5. Indo-Textile Manufacturing Company, Srinagar.
6. Fruit Packing Boxes Making Factory, Shopian.
7. Rancid Company, Jammu.

(1) (*a*) The Factory is owned by Messrs. Sukhdial Amir-chand.
(*b*) Rs. 3,06,800.
(*c*) Land for Factory site.
(*d*) Supply of silk from Government Silk Factory on credit.

(2) (*a*) The Hydro-Electric Works started by Mr. D. R. Sharma :—
(*b*) Rs. 34,000.
(*c*) The right to generate power from water of Tara-khanbadi on payment of royalty of annas 8 per K. W. per year on the energy actually produced.
(*d*) Exemption from customs duty on imports of accessories and machinery.
(*e*) Supply of poles wood at concession rate.

(3) Shree Karan Singh Woollen Mills Ltd., Srinagar, through Mr. A. K. Wattal :—
(*a*) Loan of Rs. 80,000 and Rs. 50,000.
(*b*) Land for Factory site.
(*c*) Exemption from payment of customs duty on machinery and accessories etc.

(4) Kashmir Pottery Works, Jammu, owned by Mr. N. N. Kaul and J. N. Raina :—
(*a*) Loan of Rs. 7,000.

(*b*) Exemption from customs duty on machinery and raw materials.
(*c*) Land for Factory site.
(*d*) Electric power at concession rate.

(5) Jammu Tannery owned by Messrs. Imam Din and Babu Saraj :—
(*a*) The Government Tannery was leased out against payment of Rs. 34,675-10-0 plus Rs. 10,000 on account of interest to be repaid in 36 instalments.
(*b*) Exemption from payment of customs duty on leather and accessories imported for the *bona fide* use of the Tannery.
(*c*) Assurance that Government Departments will make their purchases for 15 years.

(6) Carpet Factories:—
(*a*) A subsidy of about Rs. 1,60,000 granted to all the Carptet factories.

Other Concessions.

(1) Kashmir Match Factory owned by Raja Sir Daya Kishen Kaul:—
(*a*) Exclusive monopoly in Kashmir Province for the manufacture of matches.
(*b*) Reasonable facilities for securing land, import of machinery etc.
(*c*) Exemption from excise duty during first five years.
(*d*) Supply of electricity and timber at minimum rate.

(2) Concessions granted to the Santonin Factory are enclosed.

(3) Kashmir Chemical Company Ltd. through Dr. Lakra. Now transferred to Sardar Uttam Singh Manak Chand and others :—
(*a*) Duty on imports to be raised from 7½ per cent. to 15 per cent. and again raised from 15 per cent. to 30 per cent. subject to maximum charges of Rs. 2-6-0 per maund.
(*b*) Rebate on payment of customs duty.
(*c*) Lease of land.
(*d*) Excise duty to be paid by the Company at annas 3 per maund on laundry soap.

(4) Himalaya Soap Works, owned by Pt. Janki Nath :—
Same concessions as against No. 3.

(5) Indo-Textile Co. Ltd., Srinagar :—
Supply of silk from the Kashmir Silk Factory on three months credit.

(6) Fruit Packing Boxes Making Factory owned by Mehrchand Chuni Lal.

(7) Rancid and Co., Jammu through M. Abdul Aziz :— Lease of land on usual ground-rent.

Clauses pertaining to concessions granted in favour of Raja Sir Daya Kishen Kaul for starting Santonin Factory in the State.

I. That the said Government hereby give a monopoly to the said Raja for a period of 15 years for the object of manufacturing Santonin from Artemisia found in the State on the condition that the said Raja purchases every year, while the monopoly lasts, not less than one hundred tons of air dried artemisia for the manufacture of Santonin.

II. All or any part of the machinery that the said Raja may import from foreign countries shall be imported in bond, and in respect of the foreign imports of machinery or any part thereof no refund of customs duty will be admissible. The said Government, however, will not levy any customs duty for import from any place in India for the period of one year in the case of machinery, five years in the case of chemicals and 15 years in the case of alcohols, rectified spirit and other solvents.

III. That the said Government hereby grant the said Raja for one year from sixteenth day of September one thousand nine hundred thirty exemption from road-toll on vehicles used by the said Raja exclusively for the imports of machinery necessary for its Santonin Factory.

IV. For the purpose of site for the factory for manufacturing Santonin the said Government hereby undertakes to give the said Raja land and, in case Government land is not available, the said Raja will be assisted by Government in acquiring land. In either case the land given shall be paid for by the said Raja according to the rules in force or leased on rent assessed by the said Government.

V. During the continuance of the aforesaid monopoly the Forest Department of Jammu and Kashmir State shall not collect any artemisia for sale.

MIAN QURBAN AHMED: Can you name these nine persons ? their names is lying on your table.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: A list of

MIAN QURBAN AHMED: It is not on my table.

SHEIKH MOHAMMED AMIN : (Addressing the Governor Kashmir) You may read it out please.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: I have no objection, but it will take time.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It is a long list of three pages.

SHEIKH MOHAMMED AMIN: All right, let it go.

364. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Is the Hon'ble Revenue Minister aware that the area reclaimed by the zamindars of Kashmir Valley after the last Settlement from the grazing areas, graveyards, Kuhls and roads has been declared as unauthorized *Nautor* ?

(*b*) All unauthorized *Nautors* reclaimed upto the year 1981 were assessed to land-revenue in that year, and land-revenue from the beginning of the year, the reclaimers took possession thereof was realized from them ; and this land-revenue is paid by the zamindars upto this day ?

(*c*) In 1991, at the time of attestation of the *Shamilat* mutations, revenue was assessed on the unauthorised *Nautors* reclaimed upto the year 1990, and revenue was realized for the time since the beginning of the year during which the reclaimers took possession of such *Nautors*, and after two years it was remitted ?

(*d*) If the zamindars reclaim from such areas why are they held liable when the grazing areas, grave-yards, Kuhls and roads have been granted to them as *Shamilat* ? Are they not entitled to derive benefit out of this area in any manner they choose why are the lands reclaimed by them therefrom declared as unauthorized *Nautors* ?

(*e*) If, in fact, they are not authorized to reclaim from this area what steps the Revenue Department has so far taken to prevent them from reclaiming therefrom ?

(*f*) Does it not amount to irregularities to assess land-revenue according to *Parta Deh* on some of the *Nautors* declaring unauthorized, charge the some of the reclaimers as has been done in the case of mutations of *Nautor* in 1981 and to leave the rest of the *Nautor* unassessed ?

(*g*) If the areas referred to above are included in the *Shamilat* granted to the zamindars, why is such *Nautor* declared as unauthorized ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes.

(*b*) Yes, in cases where *Nautor-Kunindas* are still in possession of such areas.

(*c*) The question is rather vague. If the Praja Sabha Sad refers to *Nautors* after Kharif 1982, then the reply is that such of these areas as could under rules be allotted in *Shamilat* were so recorded and revenue charged thereon. Areas in excess of *Shamilat* requirements were treated as Khalsa after realisation of revenue thereon from the date of reclamation to that of ejectment.

(*d*) Breaking up of such areas is prohibited under Section 155 of the Land Revenue Regulation No. 1 of 1980.

(*e*) There are clear orders, prohibiting reclamation of such areas.

(*f*) Revenue is leviable on all *Nautors*, while in the case of unauthorised *Nautors*, it is realised for the period of possession alone.

(*g*) *Vide* reply given against (*d*) above.

365. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Will the Hon'ble Revenue Minister please state the number of Patwaris in Tehsil Badgam ?

(*b*) How many and in what year have Patwar-khanas been constructed for the residence of the Patwaris ?

(*c*) What amount was spent on these Patwar-khanas in the whole Tehsil and what amount was spent on each Patwar-khana ?

(*d*) From which item was this amount spent, how much of it was taken from the State treasury and how much was realised from the zamindars in the form of tax ?

(*e*) How many of these Patwar-khanas are still there and how many are demolished ?

(*f*) How many Patwaris live in these Patwar-khanas ?

(*g*) In those circles where there are no Patwar-khanas or the Patwar-khanas are unfit for residence, where do the Patwaris along with the revenue record take up their abode ?

(*h*) If the Patwaris reside in the houses of the zamindars, is any rent paid to the owners of these houses regularly ? Are the Government or the Patwaris responsible for the payment of that rent ?

(*i*) If no rent is paid to the zamindars for providing residence to the Patwaris and keeping the revenue record, the reasons therefor may be stated ?

(*j*) What action was taken by the Revenue Department for the repairs or new construction of those Patwar-khanas which are demolished or have become unfit for habitation ?

(*k*) It may be stated in details as to how many new Patwar-khanas were constructed in Tehsil Badgam during the past five years, how many were repaired, what amount was spent in the construction and repairs and from which head was this amount taken ?

(*l*) If the reply to the above be in the affirmative, it may be stated as to whether the Patwaris are living in these Patwar-khanas at present ? And if the reply be in the negative, the reasons for the destruction of Government buildings and unsatisfactory arrangements for the maintenance of revenue record may be stated ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) 71.

(*b*) 71 during 1968 to 1972.

(*c*) Figures of actual expenditure are not available owing to the records having been destroyed but from Rs. 200 to Rs. 321 was spent on each Patwar-khana.

(*d*) The expenditure was met from Patwar Fund which had large savings at that time and nothing extra was charged from zamindars.

(*e*) 39 and 32 respectively.

(*f*) 4.

(*g*) In Zamindari houses.

(*h*) No. The Government pays rent for only such houses as have been occupied by Patwaris with Government sanction and not for those which have been arranged by the Patwaris privately.

(*i*) The safeguarding of the Patwar records is in the interests of the zamindars and they willingly offer lodgings to their Patwaris without any stipulation as to rent etc.

(*j*) Is under consideration.

(*k*) Three Patwar-khanas have been constructed during the past five years out of which two are already complete and one is incomplete. A sum of Rs. 924 has been spent on the two completed Patwar-khanas which the zamindars had willingly contributed while no recoveries have been made for the incomplete one.

(*l*) Yes.

Part 2nd.—Does not arise.

366. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Are Government aware that on account of the present world-wide economic depression the condition of the zamindars of Kashmir has gone from bad to worse ?

(*b*) Is it not a fact that the Kashmir Government, at the time of purchasing *shali* used to give money in advance which enabled 60 per cent. of zamindars to pay up land-revenue ?

(*c*) Did not the Government by announcing a reductin in the the prices of *shali*, only a short time before the payment of the land-revenue instalment of the Rabi harvest of 1994, involve the zamindars in a difficulty ?

(*d*) In these days of economic depression, are Government instead of granting some special concessions or help, justified in depriving the zamindars of a concession which they have been enjoying for a long time ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Government is aware that in the Kashmir Province there has been a fall in the prices of all agricultural produce.

(*b*) For the last 16 years, the Kashmir Valley Food Control Department has paid advances for *shali* purchase. For the current year, advances were also offered with this difference that the price per Kharwar was reduced and the acceptance of advances made optional. Government is not aware of the percentage of zamindars relying on these advance payments to meet their revenue obligations.

(*c*) The reduced price offered this year was announced on 29th June 1937 (16th Har 1994). Revenue payments being due by end of Bhadon, the announcement was made in sufficient time.

(*d*) Zamindars have not been deprived of the concession. The taking of advances was left to the option of zamindars. It was for them to come forward for it or not.

367. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Is the Hon'ble Revenue Minister aware that in Kashmir Valley the period of one month has been fixed for the payment of land-revenue, that is (from 15th Sawan to 15th Bhadon for the Rabi instalment) and (from 15th Magh to 15th Phagan for the Kharif instalment)?

(*b*) Is it a fact that the zamindars are at a liberty to pay land-revenue at any time within this period? And in case the zamindars do not pay up the amount within this period, some action has to be taken against them and the taking of the period is contrary to rules?

(*c*) Is it a fact that for the last two or three years the economic depression has given rise to the question of extending this period and this question has been gaining importance every day? Accordingly the Government, for the sake of justice, postponed the taking of any action against the defaulters even after the expiry of this period. Is the Hon'ble Revenue Minister aware that in Tehsil Badgam the period for the payment of land-revenue for the Rabi instalment of 1994 has, instead of being extended, been reduced, that is different periods have been fixed for each Zail?

(*d*) Did not the zamindars of Kashmir, in view of the economic depression and untimely and sudden fall in the prices of *shali*, deserve special concession as at least an extension in the period fixed for the payment of land-revenue?

And is it not injustice to oppress the zamindars by reducing the period fixed instead of giving any special concessions and facilities?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The following periods are fixed for the recovery of revenue in the Kashmir Valley.

Rabi.

15th Sawan to end of Bhadon for all Tehsils excepting Uri, Karnah and Niabat Gurez for which the periods respectively are 1st Sawan to end of Sawan, 15th Katik to end of Katik and 15th Bhadon to 15th Assuj.

Kharif.

15th Magh to 15th Phagan excepting Uri and Karnah for which the period is from 1st Magh to end of Magh.

(*b*) Yes, during the periods specified above.

(*c*) *1st part.*—Extension in the period of realisation cannot be

of any material help to zamindars, who are required to pay within a fixed period.

2nd part.—The period for realisation of revenue in Tehsil Badgam has not been reduced. It may be that the Tehsildar has made some internal arrangement to effect recovery by turns in different Zails to avoid rush on the treasury and save inconvenience to Lambardars which they are bound to feel in case all money is deposited by all on one and the same day.

(*d*) *1st part.*—There has been no fall in the prices at present as compared with those obtaining at the time of Ailan-i-Jama-jadid. The period was fixed after full consideration and no case has been made out for changing it.

2nd part.—Does not arise.

368. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Is the Hon'ble Revenue Minister aware that the Tehsil officers maintain the accounts of the demand of land-revenue per village and per head and is it in accordance with these accounts that the instalments of land-revenue are realised ?

(*b*) If the reply to the above be in the affirmative, it may be stated as to whether the land-revenue is realized in accordance with the records maintained in the Tehsil office or according to the will of the Lambardars ?

(*c*) If some arrears remain outstanding against a village, is not the Tehsildar responsible for realizing these arrears within that year ?

(*d*) Does the Hon'ble Revenue Minister know that in Tehsil Pratapsinghpura list per village, of the arrears of land-revenue, was prepared and that strict orders for its realization were issued in the month of Har 1994.

(*e*) If the reply to part (*d*) be in the affirmative, the reasons for not giving the year and the item in respect of which the arrears were found may be stated ? And why were the Lambardars and Zaildars compelled to deposit the arrears within a very short period by simply writing the names of the Samvat years ?

(*f*) Will the Hon'ble Revenue Minister please state as to whether the accounts were afterwards shown to those Lambardars who blindly deposited this amount in the State Treasury from their own pockets.

(*g*) If it is a fact that the arrears related to many past years, could this not be realized every year ?

(*h*) Is it not hard on the part of the Government that they, instead of realizing the arrears every year, should realize it in the form of a lump sum, allowing a very short period and at a time when the economic position of the zamindars has become worse?

(*i*) Will the Hon'ble Revenue Minister place on the table of the House a list containing the detailed figures per village, per

year and per head of the arrears of Tehsil Sri Pratap Singhpura which was realized in the month of Har and Sawan in 1994 or for whose realization orders were issued ?

(*j*) Do Government intend to demand an explanation from those officers who on account of negligence, selfishness or lack of experience did not realize these arrears and the realization of which at this critical time is greatly embarrassing the zamindars ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The account is maintained by Mahals.

(*b*) The Lambardars are bound to collect according to the records.

(*c*) Yes, if possible.

(*d*) Yes.

(*e*) Government understand that details of these arrears were given. The Lambardars and Zaildars had already failed in their duty and had ample time to collect and pay.

(*f*) The Lambardars are responsible for maintaining these accounts, but when they required it, were given help.

(*g*) The arrears included suspensions.

(*h*) Yes, but the zamindars were equally negligent.

(*i*) The list is placed on the table.

(*j*) Yes.

Recovery of past arrears in Badgam Tehsil

Serial No.	Name of village.	Year for which due.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p	Rs. a. P.
1	Gandban Darra ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
2	Lusipura Jagir ..	Prior to 1984	....	....	....	....
3	Danas Jagir ..	,,	....	....	....	....
4	Chura Mujm ..	,,	....	....	....	....
		1987-88	....	....	....	....
		1989-90	....	....	....	....
5	Chanthanpura Chak..	Prior to 1984	....	....	....	....
		1984-85	0 11 3	0 0 6	0 0 3	....
6	Khalpura Barah ..	1988-89	....	0 0 3	0 0 9	....
		1992-93	....	....	....	....
7	Bandalpur ..	Prior to 1984	0 5 3	0 0 3	0 0 3	0 0 3
		1984-85	0 5 3	0 0 3	0 0 3	....
8	Balapura ..	Prior to 1984	1 12 3	0 0 9	0 0 9	0 0 6
		1984-85	1 12 3	0 0 9	0 0 9	0 0 6
9	Jarkhawa ..	Prior to 1984	17 11 0	0 10 0	0 8 0	3 3 0
		1984-85	27 12 6	1 2 9	0 11 0	3 3 0
		1985-86	0 5 9	....	....	....
10	Karewa Damodar ..	1992-93	105 4 9	....	....	....
10a	Pathi Karalapura ..	,,	....	....	....	....
11	Karalapura ..	,,	94 11 3	....	....	....
12	Gund Maqsud ..	,,	....	....	....	....
13	Bimnal ..	1985-86	205 3 0	18 7 0	9 2 6	2 13 3
		1988-89	97 5 0	1 1 0	0 14 6	0 3 9
		1990-91	....	....	19 15 9	....
		1992-93	....	8 6 3	13 9	 5

during Har and Sawan 1994.

Kahcharai.	Chowkidara.	Mutation fees.	Sanita-tion.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recover-able.
Rs. a. p.	Rs. a. p	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs a. p.
0 14 0	....	....	....	....	1 12 0	1 12 0	....
0 14 0	....	....	....	....			
....	....	10 12 3	....	....	10 12 3	10 12 3	....
....	....	3 0 0	....	....	3 0 0	3 0 0	....
0 14 0	....	....	....	....	1 4 9	1 4 9	....
....	0 0 3	....	....	....			
....	....	0 6 6	....	....			
0 14 0	....	....	....	....	2 8 0	2 8 0	..
0 14 0	....	....	....	....			
....	....	....	....	....	1 2 0	1 2 0	....
....	1 1 0	....	....	....			
0 14 0	....	....	....	....	2 7 9	2 7 9	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	5 8 6	5 8 6	....
0 14 0	....	....	....	....			
1 12 0	....	....	....	....	51 14 0	51 14 0	....
0 14 0	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....	105 4 9	105 4 9	....
....	....	....	....	....			
....	....	....	....	....	94 11 3	94 11 3	....
....	....	....	0 6 9	....	0 6 9	0 6 9	....
....	....	....	....	....			
....	....	....	....	....	375 13 9	157 2 0	218 11 9
....	....	....	....	....			

Serial No.	Name of village.	Year for which due.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
14	Hal Vetta ..	Prior to 1984	0 11 9	....	0 1 0	0 1 0
		1984-85	0 10 9	0 0 3	0 0 3	0 0 3
		1991-92	....	....	....	....
15	Kokarbagh ..	1988-89	....	0 8 3	1 0 6	....
		1990-91	....	....	....	....
16	Shinglipura ..	Prior to 1984	0 8 6	0 0 3	0 0 3	0 0 3
		1987-88	1 5 3	0 0 3	0 1 3	0 0 3
		1988-89	....	....	....	....
		1989-90	....	....	0 2 3	....
17	Darangmohdpura ..	1988-89	....	0 0 9	....	....
		1989-90	....	6 1 0	....	....
		1990-91	....	0 1 0	....	....
18	Dadru Khoda Lasipura.	Prior to 1984	....	....	....	....
		1984-85	1 3 6	0 0 9	0 0 6	0 0 3
		1988-89	....	0 0 6	....	....
		1989-90	0 1 0	....	....	....
19	Raithan ..	1984-85	....	0 5 0	0 5 0	0 2 6
20	Gorwet Khurd ..	1990-91	....	....	....	....
		1991-92	....	....	....	....
21	Nadiganj ..	Prior to 1984	....	....	....	....
22	Chayar Gewan ..	1992-93	....	....	....	....
23	Shahipura ..	Prior to 1984	....	....	....	....
24	Matipura ..	1991-92	....	0 0 6	....	0 0 3
25	Dargar ..	,,	....	....	....	....
26	Mala Manjhama ..	,,	....	0 0 9	....	....
27	Batipura Darang ..	Prior to 1984	....	0 2 6	....	....
		1984-85	3 11 0	....	1 6 0	0 2 0

Kahoharai.	Chowkidara.	Mutation fees.	Sanitation.	Malikana and Taccavi	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
1 12 0	....	....	....	....			
1 12 0	....	....	....	....	11 4 3	11 4 3	....
6 3 0	....	....	....	....			
5 13 6	....	....	....	....			
....	....	....	....	....	7 6 3	7 6 3	....
....	....	....	....	....			
....	....	....	....	....			
3 0 0	1 0 0	....	....	....	10 6 6	10 6 6	....
4 4 0	....	....	....	....			
....	2 9 9	....	....	....			
8 0 6	....	....	....	....	18 9 0	18 9 0	....
1 12 0	....	....	....	....			
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
0 12 0	....	0 3 3	....	....	4 1 9	4 1 9	....
....	....	....	....	....			
0 14 0	....	....	....	....			
0 8 3	....	....	....	....	1 10 6	1 10 6	....
0 8 3	....	....	....	....	1 0 6	1 0 6	....
....	....	7 9 6	....	....	7 9 6	7 9 6	....
....	....	....	0 3 0	....	0 3 0	0 3 0	....
0 14 0	....	....	....	....	0 14 0	0 14 0	....
....	....	....	....	....	0 0 9	0 0 9	....
....	0 0 6	....	....	....	0 0 6	0 0 6	....
....	....	....	....	....	0 0 9	0 0 9	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	5 11 3	5 11 3	....

Serial No.	Name of village.	Year for which due.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
28	Chakarpura ..	Prior to 19 4	....	....	....	....
		1991-92	....	....	....	3
29	Heuwara Lasipura ..	Prior to 1984	0 8 6	....	0 0 3	....
		1984-85	1 9 0	0 1 0	0 0 9	0 0 3
		1988-89	....	....	1 0 0	0 1 0
		1987-88	....	....	.....	....
30	Sochla Pathri ..	1988-89	....	0 2 6	....	....
		1990-91	....	0 7 0	....	....
31	Arzal ..	1984-85	4 6 6	0 3 0	0 2 0	0 0 6
		1987-88	....	....	....	....
32	Najan ..	Prior to 1984	....	.....	....	....
		1984-85	0 11 6	0 0 6	0 0 3	....
33	Attu ..	Prior to 19 4	....	....	....	....
		1984-85	....	....	....	.....
		1987-88	1 0 6	....	....	....
34	Sunapah ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
35	Dachhan ..	,,	....	....	....	....
		For both	..	....	....	....
36	Kangripura ..	Prior to 1984	....	....	....	....
37	Chakarpura ..	,,	....	....	....	....
		1989-90	....	....	....	0 0 3
38	Pothibagh Alimpura	1990-91	0 4 0	....	....	....
39	Haidarpura ..	Prior to 1984	0 14 0	0 0 9	0 0 6	0 0 3
		1984 85	2 9 9	1 6 0	0 1 0	0 0 6
		19 5-86	47 8 0	2 7 6	....	....
		1986-87	67 0 6	2 0 0	1 4 6	0 3 6

Kahcharai.	Chowkidara.	Mutation fees.	Sanitation Cess.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
0 14 0	....	....	....	....	0 14 3	0 14 3	....
....	....	....	....	....			
0 14 0	....	....	....	....	5 0 9	5 0 9	.....
0 14 0	....	....	....	....			
....	....	....	....	....			
....	0 0 3	....	....	....	0 10 3	0 10 3	....
....	0 0 3	....	....	....			
....	....	....	....	....			
0 14 0	....	....	....	....	5 11 0	5 11 0	....
0 1 0	....	....	....	....			
0 14 0	....	....	....	....	2 11 3	2 11 3	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	2 12 6	2 12 6	....
0 14 0	....	....	....	....			
....	....	....	....	....			
1 12 0	....	....	....	....	3 8 0	....	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	3 8 0	....	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	0 14 0	0 14 0	....
0 8 3	....	....	....	....	1 6 6	0 8 3	0 14 3
....	....	....	....	....	0 4 0	....	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....	249 14 0	145 12 6	104 1 6

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
		1987-88	55 0 0	3 8 0	4 8 0	3 2 0
		1988-89	47 11 3	2 1 0	2 8 3	0 4 6
		1991-92	1 7 6	0 12 6	0 0 9	0 0 6
40	Wata Doru Galwanpura	1986-87	0 6 0	....	....	....
		1991-92	31 4 3	1 5 9	0 13 3	0 0 3
41	Chaudibagh ..	1988-89	0 0 3	....	....	....
42	Dani Wari ..	1991-92	....	0 0 3	....	....
		1992-93	....	....	....	0 4 0
43	Chhel Urch ..	1991-92	1 0 0	....	....	....
44	Sita Haram ..	1988-89	0 3 9	....	....	....
45	Khanpura Dansu ..	1991-92	....	0 3 3	....	....
46	Tankipura ..	1989-90	....	....	....	....
47	Adahbag ..	1988-89	....	....	....	....
48	Andosa ..	Prior to 1984	0 9 3	0 0 6	0 0 3	....
		1984-85	....	....	....	....
		1988-89	....	....	....	....
49	Shankarpura Achh	1985-86	16 4 0	1 0 6	0 15 9	0 6 0
		1988-89	....	....	....	....
		1989-90	....	20 8 0	....	....
		1991-92	478 6 9	20 12 3	12 3 3	3 10 9
		1992-93	....	....	....	....
50	Kinhama ..	1986-87	113 11 6	....	....	....
		1987-88	1 1 3	5 14 3	1 2 0	....
		1988-89	34 4 9	1 14 3	....	0 7 3
		1989-90	....	....	....	....
		1991-92	1,233 6 0	64 15 9	38 3 3	11 7 6
51	Gangipura ..	Prior to '84	0 1 6	....	....	....
		1984-85	0 4 3	0 0 3	....	....
		1987-88	2 4 9	0 1 6	0 0 3	....
		1988-89	47 10 0	0 8 3	0 0 9	 2
		1991-92	547 7 6	23 8 9	13 14 0	4 3

Kahcharai.	Chowkidara.	Mutation fees.	Sanitation Cess.	Malikana and Taccavi	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
....	....	....	....	....			
....	....	....	....	....			
....	....	2 13 6	....	....			
....	....	....	....	....	34 1 3	34 1 3	....
....	....	....	....	M.0 1 0			
....	....	....	....	....	0 0 3	0 0 3	....
0 8 0	....	....	....	....	0 12 3	0 12 3	....
....	....	....	....	....			
....	....	....	....	....	1 0 0	1 0 0	....
....	0 14 0	....	....	....	1 1 9	1 1 9	....
....	0 1 0	....	1 11 6	....	1 15 9	1 15 9	....
....	....	0 3 3	....	....	0 3 3	0 3 3	....
....	3 2 3	0 9 0	....	....	3 12 0	3 12 0	....
....	....	....	....	....			
4 5 3	....	....	....	....	6 5 9	6 5 9	....
....	....	1 6 6	....	....			
....	....	....	....	....			
....	1 10 0	....	....	....			
....	....	....	....	....	555 8 6	300 3 6	255 5 0
....	....	....	....	....			
....	....	....	....	....			
....	....	....	3 0 0	....			
....	....	....	....	T.53 12 3			
..	....	....	....	....			
....	....	....	....	....	1,568 3 9	420 0 0	1,148 3 9
....	....	....	....	T.8 0 0			
....	....	....	....	....			
....	....	....	....	..			
....	....	....	....	....			
....	....	....	....	....	640 0 0	483 0 0	157 0 0
....	....	....	....	....			
....	....	....	....	....			

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
52	Chakpura Clan ..	1987-88	0 3 3	....	....	....
		1988-89	11 13 0	0 6 0	0 2 3	....
		1991-92	762 1 9	33 3 9	19 8 9	5 14 0
53	Gogibagh ..	1988-89	....	....	....	....
		1991-92	83 5 3	3 8 9	5 3 0	1 8 9
54	Zangbibagh ..	1988-89	6 0 0	0 8 0	0 4 0	0 3 0
		1991-92	207 8 0	8 13 3	5 3 0	1 8 9
55	Rangipura ...	1991-92	174 2 9	7 6 6	4 5 9	1 4 9
56	Panzan ..	1990 91	....	0 0 9	....	....
57	Hardochhathi Chakalpura	1992-93	....	....	....	....
58	Bagat Kanipura ..	Prior to '84	2 3 0	0 1 3	0 0 9	0 0 3
		1985-86	1 7 3	0 1 0	0 0 6	0 0 3
		1988-89	14 13 0	2 1 0	1 15 0	0 9 0
		1991-92	565 2 6	25 10 9	15 1 2	4 8 6
		1992-93	....	10 0 0	....	....
59	Lasjan ..	Prior to '84	....	....	....	....
		1985-86	420 6 9	....	....	....
		1986-87	1,064 5 0	48 9 0	28 5 0	8 7 3
		1987-88	4 0 0	....	....	....
		1988-89	103 2 3	....	....	....
		1989-90	258 15 9	11 1 0	6 7 3	1 15 0
		1991-92	2,274 0 6	96 10 6	56 13 6	17 0 9
60	Mangu Vaji ..	1991-92	295 5 0	13 10 9	8 0 9	2 6 9
61	Hardomalpura ..	1992-93	1 10 9	0 1 0	0 0 9	0 0 3
62	Narsinghpura ..	Prior to '84	....	....	....	....
		1984-85	0 0 6	....	....	....
63	Nasarpura Fajapura	Prior to '84	....	....	....	....
		1988-89	0 1 0	....	....	....
64	Malapura Khag ..	1985-86	1 5 0	0 0 9	0 0 6	0 0 3
		1987-88	....	0 1 9	....	....

Kahcharai, Chowkidara.	Mutation fees.	Sanitation Cess.	Malikana and Taccavi.	Total.	Amount realize4.	Amount still recoverable.
Rs. a. p.	Rs. a. p,	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p
....	....	....	....			
....	....	....	....	833 4 9	330 0 0	503 4 9
....	....	....	....			
....	0 0 6	....	....			
....	....	....	....	89 9 9	55 0 0	34 9 9
....	....	....	....			
....	....	....	....	230 0 0	172 0 0	58 0 0
....	....	....	....			
....	....	....	....	187 3 9	135 0 0	52 3 9
....	....	....	....	0 0 9	0 0 9	....
....	....	0 14 3	....	0 14 3	0 14 3	....
....	....	....	....			
....	....	....	....			
....	....	....	....			
....	....	....	....	645 15 3	240 0 0	405 15 3
....	....	....	....			
....	....	....	....			
....	....	....	M. 2 3 6			
0 14 0	....	....	....			
....	....	....	....			
....	....	....	....			
....	....	....	....			
....	....	....	....	4,401 1 6	875 0 0	3,526 1 6
....	....	....	....			
....	....	....	....			
....	....	....	....			
....	....	....	....			
....	....	....	....	319 7 3	319 7 3	....
0 14 0	....	....	....	1 14 6	1 14 6	....
....	....	....	....			
0 14 0	....	....	....	0 14 6	0 14 6	....
....	....	....	....			
....	....	....	....	0 15 0	0 15 0	....
....	....	....	....			
....	....	....	....	3 4 3	3 4 3	....

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
65	Gulabpara ..	1984-85	....	....	....	....
		1985-86	7 13 6	0 4 9	0 2 9	0 0 9
		1988-89	19 5 0	0 13 0	....	....
66	Nobug ..	Prior to '84	....	....	....	....
67	Goja Thaji ..	„ „ '84	....	....	....	....
		1984-85	....	....	....	....
68	Razagin Kech ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
		1991-92	....	....	....	0 0 3
69	Raiyar Achh ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
		1988-89	....	....	....	....
		1990-91	....	....	0 3 0	0 4 0
70	Tari Gund ..	Prior to 1984	0 12 3	0 0 9	0 0 6	0 0 6
		1984-85	0 5 3	0 0 3	0 0 3	0 0 3
		1988-89	....	....	....	....
71	Godhunsu ..	1990-91	....	....	....	....
72	Zoribagh ..	1989-90	....	....	....	0 2 9
73	Achhakot ..	1992-93	2 0 6	0 1 0	0 1 0	0 0 6
74	Lal Gund ..	1990-91	....	....	....	....
75	Narakara ..	1987-88	40 10 9	1 0 6	2 5 0	0 6 6
		1988-89	11 14 9	....	....	....
76	Mulashul ..	1984	3 12 9	0 2 6	0 1 3	0 0 6
		1984-85	1 8 3	0 0 9	0 0 9	0 0 6
		1987-88	0 0 3	....	....	....
		1989-90	....	....	0 0 3	0 0 9
77	Khag ..	1990-91	1 12 0	0 0 6	....	....
		1992-93	....	....	....	....
78	Zori Gund ..	1991-92	....	....	....	....

Kahcharai.	Chowkidara.	Mutation fees.	Sanita-tion.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
....	0 0 3	....	....	....			
....	....	....	....	....	28 8 6	28 8 6	....
....	....	....	....	....			
0 12 0	....	....	....	....	0 12 0	0 12 0	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	1 12 0	1 12 0	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	0 3 0	....	....	....	1 15 3	1 15 3	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
1 4 9	2 0 3	....	....	....	5 8 0	5 8 0	....
....	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....			
0 4 0	....	....	....	....	1 8 0	1 4 3	0 3 9
0 4 3	....	....	....	....	0 4 3	0 4 3	....
....	....	....	....	....	0 2 9	0 2 9	....
1 12 0	....	....	....	....	3 15 0	3 15 0	....
....	....	....	1 9 0	....	1 9 0	1 9 0	....
....	1 0 9	....	....	....			
....	3 8 6	....	....	....	60 14 9	60 14 9	....
....	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....	5 12 3	5 12 3	....
....	....	....	....	....			
....	....	....	....	....			
....	7 14 6	....	....	....			
....	....	....	8 10 9	....	18 5 9	18 5 9	....
....	....	....	0 9 6	....	0 9 6	0 9 6	....

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs a. p.	Rs. a. p	Rs. a. p.	Rs. a. p.
79	Labshub Gari Bagh ..	1988-89	1 13 6	....	....	0 9 3
80	Bug Gangh ..	1984-85	0 7 9	....	....	....
		1985-86	95 4 9	4 1 0	2 6 0	0 11 6
		1988-89	14 13 9	0 9 9	0 13 3	0 0 6
81	Patawav ..	1984	....	....	....	....
		1984-85	....	....	....	....
82	Lokipura ..	1987-88	....	0 4 3	....	....
83	Goripura Surzet ..	1984	....	....	....	....
		1984-85	....	....	....	....
		1985-86	588 5 3	2 0 6	1 3 3	1 0 0
		1986-87	311 0 0	18 2 0	15 4 0	5 5 3
		1987-88	130 11 0	7 3 3	2 0 0	0 12 3
		1990-91	....	....	....	....
		1991-92	1,532 9 0	65 12 6	38 11 0	11 10 0
84	Chak Shera ..	1989-90	....	....	....	....
85	Berwa Raiyar ..	Prior to 1984	....	....	....	....
		1984-85	4 3 3	0 2 9	0 1 9	0 0 6
		1989-90	....	....	....	....
86	Narabal ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
		1986-87	238 15 3	13 12 0	9 0 0	7 0 0
		1987-88	15 1 0	0 8 6	0 5 0	0 1 6
		1988-89	27 8 6	1 3 0	0 11 0	0 2 9
87	Chaddora ...	1992-93	....	....	21 11 3	8 15 6
88	Zotla Gam ..	Prior to 1984	2 15 0	0 1 6	0 1 6	0 0 9
		1984-85	8 13 0	0 6 0	0 3 6	0 1 3
		1991-92	....	....	....	....

Kahcharai.	Chowkidara.	Mutation fees.	Sanitation.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
....	2 3 0	....	....	....	4 9 9	4 9 9	....
....	....	....	....	....			
....	....	....	....	....	119 4 3	119 4 3	....
....	....	....	....	....			
1 12 0	....	....	....	....			
1 12 0	....	....	....	....	3 8 0	3 8 0	....
15 0 0	0 0 3	....	....	....	15 4 6	2 8 3	12 12 3
2 10 0	....	....	....	....			
2 10 0	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....	2,741 13 3	958 0 0	783 13 3
....	....	....	....	....			
....	....	....	....	T.5 0 0			Difference of 1,000.
....	....	....	....	....			
0 4 0	....	....	....	....	0 4 0	0 4 0	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	6 10 6	6 10 6	....
....	....	0 6 3	....	....			
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	....	....	....	2 Ground rent.	344 8 3	344 8 3	....
....	....	....	....	....			
....	....	7 10 0	....	17 13 0T.			
....	31 3 0	0 11 9	....	....	62 9 6	62 9 6	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	14 9 6	14 9 6	....
0 3 0	....	....	....	....			

Serial No.	Name or village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
89	Sajan Bant ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
		1988-89	....	1 0 0	0 0 3	....
90	Mam ..	Prior to 1984	0 6 0	....	....	....
		1984-85	1 3 3	0 1 3	0 0 6	0 0 3
91	Zanikot ..	1988-89	145 11 3	....	....	....
		1989-90	43 11 6	2 2 0	1 4 0	0 6 0
		1991-92	1,181 3 3	52 11 3	29 14 3	8 15 3
		1992-93	64 11 6	....	29 14 3	8 15 3
92	Hange Lavi Pura ...	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
93	Haripura ..	1990-91	....	....	0 4 0	0 1 6
94	Narawara ..	1987-88	12 2 9	0 1 6	....	....
		1988-89	1 2 9	0 1 6	....	....
95	Rakheothu ..	1985-86	377 12 6	16 1 0	10 0 0	3 2 0
		1986-87	1 0 0	....	9 0 0	0 11 6
		1991-92	1,182 13 9	50 5 9	29 8 9	8 14 0
		1992-93	....	....	1 1 9	8 14 0
96	Harda Rangru ..	1992-93	....	0 1 0	....	....
97	Dharmbog ...	1991-92	....	0 0 9	....	....
98	Bopura Samtal ..	1992-93	....	1 0 0	....	....
99	Hakar Mulla ..	Prior to 1984	7 6 0	0 3 9	0 3 9	0 2 0
		1984-85	14 12 0	0 10 0	0 5 9	....
100	Rakh Hakar-Mulla ...	Prior to 1984	0 11 0	0 0 9	0 0 6	....
		1984-85	10 4 0	0 7 6	0 4 0	0 1 3
101	Qanungoipura ...	Prior to 1984	....	....	....	....
102	Chak Gobinda Khasurd	1988-89	....	....	....	....

Kahcharai.	Chowkidara.	Mutation fees.	Sanitation Cess.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	2 12 3	2 12 3	....
....	....	....	....	....			
1 12 0	....	....	....	....			
1 12 0	....	....	....	....	5 3 3	5 3 3	....
....	....	....	....	....			
....	....	0 3 3	....	....			
60 5 0	18 10 0	5 3 3	18 7 6	14 7 3	1,937 9 3	500 0 0	1,437 9 3
....	....	....	....	....			
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	1 12 0	1 12 0	....
7 3 9	....	....	....	....	....	7 9 3	7 9 3
....	0 1 3	....	....	....			
....	....	....	....	....	13 9 9	13 9 9	....
....	....	....	....	....			
....	....	....	....	....			
....	....	....	8-4-0	2 4 6	1,712 2 0	28 7 0	1,713 11 0
....	1 0 0	0 5 6	18-8-0	11 0 0			
....	....	....	2-12-3	....	2 13 3	2 13 3	....
....	....	....	....	....	0 0 9	0 0 0	....
....	....	....	....	....	1 0 0	1 0 0	....
....	....	....	....	....			
0 2 0	....	....	....	....	23 13 3	23 13 3	....
....	....	....	....	....			
0 14 0	....	....	....	....	13 9 0	13 9 0	....
1 12 0	....	....	....	....	1 12 0	1 12 0	....
....	0 0 3	0 3 3	....	....	0 3 6	0 3 6	....

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
103	Sara Nila ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
		1989-90	....	0 2 0	....	....
104	Karapura ..	1990-91	....	0 0 6	....	....
105	CherariputaKhanapura	1988-89	0 4 0	....	....	....
		1990-91	....	0 0 3	....	....
106	Man Choh ..	1992-93	....	....	....	0 0 3
107	Rankipura ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
108	Shaoora Kalipura ...	1990-91	....	....	....	....
109	Shibpura ..	Prior to 1984	0 2 0	....	....	....
		1984-85	....	....	....	....
		1989-89	24 15 3	1 1 0	0 15 3	....
110	Taki Farug Shah ..	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
		1989-90	....	....	....	....
		1991-92	....	0 1 3	....	....
111	Arigam ..	Prior to 1984	1 8 9	0 0 9	0 0 9	0 0 3
		1984-85	3 5 0	0 2 3	0 1 9	0 0 3
		1988-99	.....	0 0 6	....	....
112	Kachhipura ..	Prior to 1984	....	....	....	....
113	Maduu Hannbar ..	Prior to 1984	1 1 3	0 0 6	0 0 6	0 0 3
		1984-85	3 4 0	0 2 6	0 1 6	0 0 3
114	Rasu ..	Prior to 1984	0 5 0	....	....	....
		1984-85	2 8 9	0 1 6	0 1 3	0 0 6

Kahcharai.	Chowkidara.	Mutation fees.	Sanitation Cess.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
0 14 0	....	....	....	....			
0 0 6	....	....	....	....	1 0 6	1 0 6	....
.....	....	....	....	....			
0 12 0	....	....	....	....	0 12 6	0 12 6	....
0 8 0	....	....	.....	....	1 4 3	1 4 0	0 0 3
0 8 0	.....	....	.....	....			
....	.....	.....		.....	0 0 3	0 0 3	....
0 14 0	....	....	....	....	1 12 0	1 12 0	....
0 14 0	....	....	....	....			
....	0 0 3	.....	....	....	0 0 3	0 0 3	....
0 14 0	.....	....	....	....			
0 14 0	....	....	....	....	28 13 6	28 13 6	....
....	....	....	....	....			
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	5 1 6	....	....	.....	9 8 9	9 8 9	....
....	0 2 0	....	....	....			
2 8 0	....	....	....	....			
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	8 3 9	8 3 9	....
1 4 0	....	....	.....	....			
0 14 0	....	....	....	....	0 14 0	0 14 0	....
....	....	.....	....	....			
....	....	....	....	....	4 10 9	4 10 0	....
1 12 0	....	....	....	....			
0 14 0	....	....	.....	....	5 11 0	5 11 0	....

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p	Rs. a. p.	Rs. a. p.
115	Yaru Gund ...	Prior to 1984	....	....	....	....
		1984-85	....	....	....	....
		1988-89	14 13 3	0 10 0	1 0 0	0 5 0
		1989-90	....	....	0 10 0	1 0 3
		1990-91	....	....	....	....
116	Otrad Dalabal ..	Prior to 1984	2 2 9	0 1 0	0 1 0	0 0 6
		1984-85	44 8 0	0 4 6	0 2 6	0 0 9
117	Panchas ...	Prior to 1984	0 10 0	0 0 3	0 0 3	....
		1984-85	6 4 0	....	6 13 0	2 0 9
118	Rolapura ..	1989-90	....	....	....	.....
119	Razawan Manch Hama	Prior to 1984	3 5 0	0 1 0	0 1 0	0 0 6
		1984-85	6 0 0	0 3 0	0 3 0	0 1 6
		1988-89	....	0 2 9	....	.....
120	Chak Dewan Badrinath	1992-93	....	.....	....	.....
121	Meripura ..	Prior to 1984	0 2 6	....	....	.....
		1984-85	1 15 6	0 1 3	0 0 9	....
		1988-89	20 3 0	....	.....	....
		1990-91	....	....	....	....
122	Chhim ..	Prior to 1984	....	....	.....	....
		1984-85	....	.....	.....	.....
123	Gund Arjam ...	1991-92	0 0 6	....	....	....
		1992-93	....	.....	....	..
124	Wanhama ..	Prior to 1984	....	....	....	....
		1984-85	0 6 0	0 0 3	0 0 3	....
		1988-89	....	....	....	....
		1989-90	....	....	....	....
		1990-91	....	....	....	....
		1992-93	....	0 0 0	....	....

Kahcharai.	Chowkidara.	Mutation fees.	Sanitation Cess.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
.....	....	....	....	....	2) 6 6	20 6 6	....
....	....	....	....	....			
0 4 0	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....	47 5 0	47 5 0	....
....	....	....	..	....			
....	5 5 9	....	....	....	21 2 0	21 2 0	....
....	1 10 0	....	....	....	1 10 0	1 10 0	....
....	....	....	....	....			
....	....	....	....	....	10 2 3	10 2 3	....
....	0 0 6	....	....	....			
....	....	....	....	M 3 0 0	3 0 0	3 0 0	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	....	....	....	....			
1 0 6	....	....	....	....	25 3 6	25 3 6	....
0 14 0	..	....	....	....			
0 14 0	....	....	....	....	1 12 0	1 12 0	....
....	....	....	....	....			
....	0 0 3	....	....	....	0 0 0	0 0 0	....
0 14 0	..	....	....	....			
0 14 0	....	....	....	....			
....	1 0 0	....	....	....			
0 10 0	....	....	....	....	13 9 3	13 9 3	....
.....	....	....	0 12 9	....			
....	....	....	....	....			

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
125	Wagam ..	1992-93		0 5 6	0 2 9	0 0 9
126	Sawan Has ..	1989-90		3 4 6	1 12 0	0 8 6
127	Hardopathpura ..	1989-90		7 9 0	3 15 9	1 2 9
128	Khandipura ..	Prior to 1984		....	....	....
		1984-85	0 2 3	0 14 0	....	....
		1987-88		0 1 3	....	....
129	Otarpura ..	1989-90		....	....	....
		1990-91		....	....	....
130	Chira Khun ..	Prior to 1984		....	....	....
		1989-90		....	0 0 3	0 0 3
131	Barangan ..	Prior to 1984		....	....	....
		1988-89		0 0 9	....	....
132	Makan Kachhlu ..	1988-89		....	0 1 0	0 10 0
133	Punwanch Gund ..	1989-99	1 12 3	37 0 0	20 12 6	6 4 0
134	Pandopura ..	1989-90		0 1 9	....	....
135	Gund Darwesh Harwani ..	1984-85	7 14 0	0 5 3	0 3 3	0 1 0
		1988-89		....	....	....
		1989-90		0 1 0	....	2 0 0
		1990-91		....	....	....
136	Sail ..	Prior to 1984		....	....	....
		1984-85	1 3 0	0 1 0	0 3 0	....
137	Bona Zerigom ..	Prior to 1984		....	....	....
		1984-85	1 7 6	0 1 0	0 0 6	0 0 3
		1987-88		....	....	....
		1989-90	1 0 0	....	....	....
138	Haran ..	Prior to 1984		....	....	....
		1984-85		....	....	....

Kahoiarai.	Chowkidara.	Mutation fees.	Sanitation Cess.	Melikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
....	....	....	....	....	0 9 0	0 9 0	....
11 3 0	2 0 9	....	....	....	18 12 9	18 12 9	....
....	4 4 6	....	....	....	17 0 9	17 0 0	.....
0 14 0	....	....	....	....	}		
0 0 3	....	....	....	....	} 4 3 9	4 3 9	....
2 4 0	....	....	....	....	}		
0 0 6	0 0 6	0 12 9	....	...	}		
0 3 0	....	....	....	....	} 1 0 3	1 0 3	.. .
0 14 0	....	....	....	....	}		
....	....	....	....	....	} 0 14 6	0 14 6	....
0 14 0	....	....	....	....	}		
1 2 0	....	....	....	....	} 2 0 9	2 0 9	.....
....	....	....	....	....	0 11 0	0 11 0	....
54 4 0	12 5 6	....	.....	....	132 6 3	59 13 6	72 8 9
....	....	0 3 3	....	....	0 5 0	0 5 0	.. .
....	....	....	....	....	}		
0 4 0	4 4 6	....	....	....	}		
0 4 0	4 5 3	....	....	....	} 20 14 3	20 14 3	....
1 4 0	....	....	....	....	}		
0 14 0	....	....	....	....	}		
0 14 0	....	....	....	....	} 3 0 3	3 0 3	....
0 14 0	....	....	....	....	}		
0 14 0	....	....	....	....	}		
5 12 9	....	....	....	....	} 10 2 0	10 2 0	....
....	....	....	....	....	}		
0 14 0	....	....	....	....	}		
0 14 0	....	....	....	....	} 23 9 6	23 9 6	....

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess.	Education Cess.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
		1988 89 ..	....	0 3 0	5 12 3	1 11 9
		19 2-93 ..	....	....	....	....
139	Arampura ..	19 8-89 ..	7 0 9	0 8 0	0 2 6	....
		1984 ..	....	....	....	....
140	Nohar ..	1984-85 ..	7 7 0	0 5 0	0 3 0	0 1 0
		1988-89 ..	....	0 0 3	....	....
		1989-90 ..	....	....	....	....
141	Sholi Gund ..	Prior to 1984 ..	..	....	....	....
		1984-85 ..	....	....	....	....
		Prior to 1984 ..	....	....	....	....
142	Chobdara ..	1984-58 ..	1 11 9	0 1 9	0 1 0	0 0 6
		1988-89 ..	0 9 6	....	....	....
		Prior to 1984 ..	1 5 0	0 0 9	0 0 6	0 0 3
143	Pusipura ..	1984-85 ..	3 14 0	0 2 9	0 1 6	0 0 6
		1985-86 ..	13 13 9	0 9 3	0 5 6	0 1 9
		Prior to 1984 ..	....	....	....	....
144	Barar ..	1984-85 ..	....	....	....	....
		1992-93 ..	66 14 9	2 13 0	1 1 9	0 8 0
		Prior to 1984 ..	1 6 6	0 1 3	0 0 9	0 0 3
145	Chondapura ..	1984-85 ..	1 10 3	0 1 0	0 0 9	0 0 6
		1987-88 ..	....	....	0 2 0	....
		1988-89 ..	....	12 8 3	....	....
146	Ranga Trabal ..	1989-90 ..	....	....	0 0 3	0 0 3
		1992-93 ..	....	....	....	....
		Prior to 1984 ..	....	....	0 1 0	....
		1984-85 ..	4 6 6	0 3 0	0 2 0	0 0 6
147	Hamchipura Khag ..	1985-86 ..	7 11 0	0 2 0	0 0 6	0 0 9

Kahcharai.	Chowkidara.	Mutation fees.	Sanitation Cess.	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rr. a. p.	Rs. a. p.
....	7 8 6	....	....	....			
....	6 10 0	....	....	....			
....	....	....	..	....	7 12 0	7 12 0	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	....	....	....	....	10 6 9	10 6 9	....
.....	0 0 3	0 10 0	....	....			
0 14 0	....	....	....	....			
0 14 0	....	....	....	....	1 12 0	1 12 0	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	3 0 0	....	..	....	4 4 9	4 4 9	....
....	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....	20 7 6	20 7 6	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	....	....	....	....	73 10 6	73 10 6	....
....	....	....	.....	....			
....	....	....	....	....	3 5 3	3 5 3	....
....	....	....	....	....			
....	....	....	....	....			
....	....	....	....	....	36 10 9	36 10 9	....
24 0 0	....	....	....	....			
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	....	....	....	....	17 10 3	17 10 3	....

Serial No.	Name of village.	Year.	Land Revenue.	Patwar.	Road Cess	Education Cess.
			Rf. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p
		1987-88 ..	1 5 3	0 0 9	0 4 6	....
		1988-89 ...	1 5 3	0 2 9	0 0 6	....
148	Parampura ..	1985-86 ..	152 10 0	6 7 6	3 13 6	1 2 0
149	Rohangam ..	Prior to 1984 ..	8 10 9	0 4 0	0 4 0	0 2 0
		1984-85 ..	24 3 0	1 0 6	0 9 9	0 2 9
		1986-87 ..	0 5 0	....	....	....
150	Chhana Gund ..	Prior to 1984 ..	0 9 0	0 0 6	0 0 3	0 0 3
		1984-85 ..	0 14 9	0 0 6	0 0 3	....
		1988-89 ..	0 0 6	0 2 9	0 0 9	....
		1990-91 ..	....	....	....	....
		1992-93 ..	....	....	....	....
151	Soi Bug ..	1989-90 ..	.....	....	....	....
		1990 91 ..	....	....	23 7 3	....
		1992-93 ..	1 0 0	....	....	....
152	Jagu Kharban ..	Prior to 1984 ..	6 1 9	0 3 9	0 2 9	0 1 3
		1984-85 ..	4 11 9	0 3 0	0 2 0	0 0 6
		1992-93 ..	....	3 0 0	....	....
193	Zabgela ...	1988-89 ..	....	....	1 9 6	2 5 9
		1989-90 ..	....	....	....	....
154	Path Makhana ..	Prior to 1984 ..	....	.....	....	....
		1984-85 ..	....	....	....	....
		1988-89 ..	....	....	....	....

Kahaharai.	Chowkidars.	Mutation fees.	Sanitation Cess	Malikana and Taccavi.	Total.	Amount realized.	Amount still recoverable.
Rs. a p.	Rs. a. p.	Rs. a. p.	Rs. a p	Rs. a p	Rs. a p.	Rs. a p	Rs. a. p.
....	....	....	....	....			
.....	.....	....	....	....			
....	....	....	....	....	164 1 0	164 1 0	....
1 15 6	....	....	....	....			
.....	....	....	....	....	19 6 9	....	....
0 14 0	....	....	....	....			
0 14 0	....	....	....	....			
....	....	....	....	M 0 7 6			
....	.....	....	....	0 0 3	4 6 6	4 6 6	....
....	....	....	....	0 5 9			
.....	0 10 9	....	....	....			
....	....	....	....	Ground rent	25 12 9	25 12 9	....
....	.....	....	....	0 10 9			
5 4 0	....	....	....	....			
5 4 0	....	....	....	....			
....	....	.....	....	....	25 3 0	25 3 0	....
....	....	0 3 3	....	....			
....	....	0 12 9	....	....	4 15 3	4 15 3	....
4 13 9	....	....	....	....			
2 10 0	....	....	....	....			
....	1 15 6	....	....	....	9 7 3	2	....

369. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Are Government aware that there is a stone-quarry on the bank of Nullah Shaliganga, near the adjoining hill of village Narigund, Tehsil Sri Pratap Singhpura where a lot of coal is expected to be found?

(*b*) If the reply be in the affirmative, it may be stated as to why did the Government not dig out these deposits which would have benefited both the Government and the people?

(*c*) If the reply be in the negative, do Government intend taking some practical steps on it by surveying it through some expert Engineer?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The Department of Mineral Survey does not know about any stone-quarry, but it has located and reported upon Coal (Lignite) occurrences found in the area.

(*b*) The lignite is only a low-grade fuel. It is more of the nature of a gas or oil shale than of a coal, and as such its use to supplant wood is problematical, unless there is a wood famine in the Kashmir Valley.

(*c*) In present conditions the results so far obtained do not show that it could be commercially exploited.

370. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Is the Hon'ble Revenue Minister aware that in reply to a question asked in one of the previous sessions of the Praja Sabha to the effect that on account of the scarcity of water in Tehsil Pratap Singhpura, the Ashtar ake should be repaired, it was stated that the Government were consulting an expert? Was any expert sent to the spot? If the answer be in the affirmative, the details of the observations made on the spot may be placed on the table of the House? If the answer be in the negative, what do Government mean by keeping this matter in abeyance for such a long time?

(*b*) Will Government please state as to what difficulty regarding the scarcity of water was felt in this Tehsil in the month of Har 1994? Did not the zamindars suffer loss on account of the scarcity of water? If the reply to part (*b*) be in the affirmative, what are the reasons for keeping in abeyance the question of repairing the Ashtar lake? If the reply be in the negative, will the Government throw light on this matter by making inquiries through the Revenue Department?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The Revenue Department has no information.

(*b*) *1st part.*—The trouble of the zamindars was alleviated by arranging fair distribution of water and no complaint as to *khushkimar* was received from any place in Badgam Tehsil.

2nd part.—Does not arise.

371. KHAWAJA GHULAM MOHI-UD-DIN KHAN: (*a*) Are Govern-

ment aware that Charar-i-Sharif, Tehsil Pratapsinghpura, is the most important place of pilgrimage of the Kashmiri Muslims, where lacs of pilgrims assemble every year and that the Kashmiri Muslims are spiritually connected with this place ?

(*b*) If the answer to the above be in the affirmative, are Government aware of this fact also that the road from Srinagar to Charar-i Sharif is in an utterly bad condition, and, not to speak of its being metalled, even the kacha road is impassable, needs repairs at many places and is unfit for wheeled traffic ?

(*c*) Are Government aware that fifty years ago this road had been the main road of Kashmir and great Kings and Emperors used to enter Kashmir by this road and the Moghul Government spent millions of rupees in the construction of this road.

(*d*) Are Government aware that this ancient main road is in such a dangerous condition for a distance of nearly half a mile from the Samadh of late Maharaja Gulab Singh Ji Bahadur and Customs Post, Rambagh (Srīnagar) that hundred of pack animals perish here in the winter season ?

(*e*) Will Government make arrangements for the repairing of this ancient and historical road ? If owing to financial stringency this road cannot be metalled presently, it may kindly be repaired and made fit for wheeled traffic ?

(*f*) Can the Government make immediate arrangements for repairing this road at Customs Post, Rambagh, and the Samadh of the late Maharaja Gulab Singh Ji and when it will be done ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes.

(*b*) Yes.

(*c*) Yes, a portion of the road forms part of the old Moghul route to the down country.

(*d*) No, it is not so.

(*e*) and (*f*) The road has recently been transferred to the Public Works Department. It is being improved and repaired.

372. KHAWAJA GHULAM MOHY-UD-DIN KHAN: Will the Revenue Minister enforce the law of inheritance among the Muslim of Kashmir in accordance with the provisions of the Mohammedan law by doing away with the discrimination between a citizen and a villager ?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): In questions of inheritance the rule of decision is and has always been an application of Mohammedan law irrespective of the fact whether the parties belonged to a town or village, except in so far as such law has been modified by any custom applicable to the parties concerned.

373. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Is the Hon'ble Revenue Minister aware that the crops of (1991) the village Hardoshorash, Tehsil Badgam, were destroyed on account of drought ? Accordingly when His Highness the Maharaja Bahadur

once happened to pass through this village and was pleased to pay a visit, also, the zamindars submitted an application at that time and several applications were submitted afterwards for remission, and suspension of the land-revenue ?

(*b*) If the reply be in the affirmative, it may be stated as to what action was taken on those applications and what concessions were allowed to the sufferers ? If the reply be in the negative, the reasons for it may be stated ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) *1st part.*—Yes.

2nd part.—The Revenue Department has no knowledge.

(*b*) Suspension of Kharif instalment 1991 was granted under rules to the sufferers.

374. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Is the Hon'ble Revenue Minister aware that on account of the out-break of fire in village Gundmah, Tehsil Badgam, there has been a great loss and the inhabitants of that place have been rendered homeless ?

(*b*) If the reply to the above be in the affirmative, what concessions and facilities have been provided to them by the Government ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes, to some extent.

(*b*) The relief file has recently been completed but due to want of funds relief could not be granted this year.

375. KHAWAJA GHULAM MOHI-UD-DIN KHAN: (*a*) Is the Hon'ble Home Minister aware that he gave an assurance to open Middle Schools at Biroh and Charar-i-Sharif and accordingly a Lower Middle School has been opened at Charar-i-Sharif only ?

(*b*) When will a Middle School be opened at Biroh ? Will it be opened in near future ?

(*c*) And do Government intend to raise the Lower Middle School at Charar-i-Sharif to the standard of an Upper Middle School ? If the reply be in the affirmative, when it will be done and if the reply be in the negative, the reasons for it may be stated ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes.

(*b*) The question will be placed before the Education Standing Committee.

(*c*) This question will also be placed before the Education Standing Committee.

376. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Will the Hon'ble Revenue Minister please state as to what is the position of the Zaildars in the Revenue Department ? Are they not the representatives of the public ? Do they not hold a position of interpreters between the Government and the public and is this post not meant for maintaining agreeable relations between the Government and the public ?

(*b*) If the reply to the above be in the affirmative, it may be stated as to what seating arrangments have been made for them in the Tehsil Courts ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) A Zaildar is paid a sort of retaining fee to perform certain duties for Government.

The duties attached to this post are detailed in the Zaildari Rules.

(*b*) Does not arise.

377. KHAWAJA GHULAM MOHY-UD-DIN KHAN: (*a*) Will the Hon'ble Revenue Minister please state as to how many trees from the Forest Department were granted to the fruit merchan ts of Tehsil Badgam for manufacturing fruit boxes from 1993 to 1994 ?

(*b*) If the answer be in the negative, the reasons therefor may be stated ?

(*c*) How many applications were submitted by the fruit merchants for the granting of trees from the Forest Department, what action was taken on those applications and what are the reasons for not granting them the trees ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) and (*c*) During 1993 sixteen trees were sanctioned in favour of ten applicants who paid for and removed seven trees only.

During 1994 only ten applications have been received so far and trees have been granted to all.

(*b*) Does not arise.

378. PEER HISSAM-UD-DIN SHAH: During the last session, in reply to Q. D. No. 639 regarding the removal of restrictions imposed on *Aassami* rights in *Nautor* areas it was stated that after the boundaries have been marked the question of removing these restrictions will be taken up for consideration. It may be pointed out that a good deal of time has elapsed since the boundaries have been marked in Tehsil Haveli and Mendhar, and the work of marking boundaries in Tehsil Sudhnoti and Bagh has been postponed. Will Poonch Administration please state if the question of the removal of restrictions is still receiving consideration or whether some practical steps are being taken in this direction in these two Tehsils ?

WAZIR FEROZ CHAND: The question will be considered when the demarcation of the whole Illaqa is completed.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Gentlemen, you may recall that yesterday the Hon'ble Prime Minister placed this issue before you so that you may not have any difficulty in following the rules. This was done because previously (I mean during the past sessions) the rules had not strictly been followed.

This morning I had a talk with the leaders of some groups and I explained to them how these rules ought to be interpretted. Since this has not been explained to all I shall explain it once again. If you carefully examine section 36 of the Regulation No. I of 1991, you will find what type of questions can be treated as budget questions and what sort of resolutions can be treated as budget resolutions.

If you look also into section 41 you will find that you can put questions for reducing the amount which Government proposes to spend on a particular item and can also move resolutions for the same. But no member can say that a certain sum of money be provided for a particular purpose. It is the duty of the Council to propose this. Supposing four lacs of rupees have been provided for education. Now you cannot move that a sum of six lacs be provided for education instead of four lacs. You can move resolutions as token cuts; that is to say, you will move that a reduction of five or ten rupees may be made and the object for cut may be stated within brackets *e. g.* "to discuss education policy". I have sent back some resolutions so that the hon'ble members (the movers) may resubmit them after making the necessary alterations. The Hon'ble Prime Minister has promised that even if the notice is not sufficient as required under the rules still they will be entertained. I hope, as far as possible, we will proceed like that.

MR. M. A. BEG: Yesterday your honour said that this procedure will be followed from the nest session.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The resolutions are already being returned to you for making the necessary changes.

MR. M. A. BEG: But this will change the order of priority.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): There will be no change in priority. It will be the same as has already been determined.

MR. M. A. BEG: Perhaps the difficulty may arise in giving amendments.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): We will see to that when that question arises.

PANDIT AMA NATH KAK: Sir, you stated that it will be only in the form of token cuts?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Larger cuts can also be proposed.

PANDIT AMAR NATH KAK: That is to say we can propose that the expenditure should be three lacs where it is already four lakhs.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Yes, you can propose reduction.

SARDAR KANHAYA SINGH: So far as I remember it was the

the late Sir Barjor who framed the Rules of Business and Procedure.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): No, he did not frame the rules; he only gave the rulings which now, in my opinion and that of the Government, are not right. Therefore the present Government wants to make amendments in those rules.

SARDAR KANHAYA SINGH: So that means all that has been done before is wrong.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): No, that is not wrong. We have only to amend the budget resolutions which cannot be admitted according to rules. I mean that it is against rules to move that such and such amount may be provided for such and such a purpose. This cannot be done under section 41 and it is not so even in British India.

MR. JAGAT RAM ARYAN: Sir, you said that we cannot move resolutions for increasing the grants. Shall we understand by this that if Rs. 4,000 have been provided for education, we cannot move that the sum should be raised to Rs. 6,000 or that out of Rs. 4,000, Rs. 1,000 may be provided for some other purpose.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): No. If anybody has any difficulty he may come to me. I will explain to him in detail.

COLONEL ABDUR RAHMAN: Sir, my friends Messrs Kak, Dobey, Mohammed Amin have all thrown sufficient light on the Budget and have shown that we are not satisfied with it. I need not take up the Budget item by item. I will only state some particular facts.

Sir, the Budget has been coming up before the House for the last three years. There is no doubt that so far as the figures go, the Budget is quite complete but there is no provision in it for works of public utility. It is for this reason that the elected members have been protesting against the Budget during the previous sessions and are maintaining the same attitude even now. There is not the slightest doubt in the fact that on the strength of their majority in the House the Government have mostly been successful in voting. But the Government should know, if it has any foresight, that the voice of the 33 elected members who represent 36 lakhs of people of the State is being disregarded. In the Budget the estimates of income of 2½ crores of rupees which have been shown are realized from the extremely poor people in the following manner:—

(*a*) Land revenue, (*b*) Kahcharai, (*c*) Customs, (*d*) Income Tax, (*e*) Dharat, (*f*) Chowkidara, (*g*) Patwar Fund, (*h*) Hospitals, (*i*) Schools, (*j*) Sarkana, (*k*) Court Fees, (*l*) Mooring Ghat Taxes, (*m*) Panchayats, (*n*) Talbana, (*o*) Sanitation, (*p*) Zaildari, (*q*) Lam-

bardari, (*r*) Game Tax, (*s*) Abiana and (*t*) Road Toll.

The poverty-stricken people are not able to bear the burden of these unreasonable taxes. The zamindars are forcibly made to pay these taxes even when they do not earn a penny. They are forced to pay fees and fines and thus fill the Government treasury. Inspite of that we have been having faith in the Government. We hope that the Hon'ble Ministers will agree to our very reasonable demands and oblige the elected members of the House.

We want that more money may be provided for:—

(1) Village roads,
(2) Education,
(3) Bridges,
(4) Improving Agriculture,
(5) Water supply for agricultural purposes.

The Government can meet our demands only if it works with economy and care, *i. e.*, if it reduces the larger salaries to the level of the pays in other native States and reduces unnecessary posts. For example, I will point out, that in several departments there are officers who do not sign even one paper a day. In Samvat 1972-73 a certain Bakhshi was the only Head Clerk in Mirpur but now in that very office there is one Superintendent, one Assistant Superintendent and one Head Clerk and as time goes on the number of subordinate clerks is also increasing.

MAJOR GENERAL JANAK SINGH JI: Now he must be a father of several children.

LALA HANS RAJ: He is talking of very old times.

COLONEL ABDUR RAHMAN: The result of this is that poverty is on the increase. I am afraid if this state of affairs continues the poor and naked people will grow sick and may not be able to pay off land-revenue. The Government should not think that since the people are paying the revenue they can pay it. The fact is that they cannot pay the revenue. Therefore I support the resolution.

WAZIR GANGA RAM: (Written speech) I want to draw the attention of the Government to certain items of the Budget for 1994-95 placed before the House by the Hon'ble Finance Minister. The sum of Rs. 4,75,000 shown as capital expenditure has not been included under the head Income and Expenditure in the Budget. In the final Budget estimates for 1994-95, Rs. 23,000 are shown as surplus. If the intention of the Government had been really to keep accounts on commercial lines wherein capital expenditure is not shown, then, in that case this item should have been shown under debt dead so that after some time it may have been possible to see if there has been any profit or loss in the capital expenditure.

(*a*) On page 4 of the Budget against item No. 25, head

Income from Railway for 1994-95 is shown Rs. 60,0000 which was referred to by the Hon'ble Finance Minister in his speech.

(*b*) On page 6 of the Budget there are a few debt heads under which income and expenditure is detailed. But under these the arrears at the beginning and end of the year should have been stated so that it may be possible to ascertain as to how far does the debit and credit effect the Budget. The Hon'ble Finance Minister stated in his speech on the Budget for 1994-95 that the debt payable by the State is Rs. 33,83,120 and Rs. 91,30,060 are due to the State. If the amount of the debt payable be deducted from the actual Reserve Fund then Rs. 57,46,880 are left. While on the other hand if in the Budget of the year 1994-95 the amount payable be added to the amount due to the State then the items under the debt head which are shown as payable are (Rs. 43,01,276 plus Rs. 10,86,960) *i. e.*, Rs. 53.88,236 and Rs. 95,50,100 have been shown in the form of Reserve Fund Pronote etc. The difference, that is, the surplus Reserve Fund is Rs. 41,61.864. This will show that in the year 1994-95 the actual Reserve Fund is Rs. 41,61,864 out of Rs. 57,46,880 of the year 1993-94, *i. e.* there is a shortage of Rs. 15,85,016 in the Reserve Fund. The Accountant General has put in a note on page 6 of the Budget to certify that he has submitted the report to the Government regarding the dues under the items of the debt heads and it was reported at the end of Assuj of the year 1993. If such a report had been placed on the table of the House then a correct estimate of the amounts payable and the dues which have to be realized could be possible. I hope this matter will be brought to light in the House.

The loss of 5·76 lacs that has been shown in the Food Control Department must be explained in detail. The date when the Department was first established must be stated and it should also be stated whether the money that was advanced to the Department was advanced as help or as a loan ; and whether the Government has received the amount back or not.

Several hon'ble members have clearly pointed to the Government about the heavy expenditure on the administration of the State. Pandit Amar Nath Kak definitely established in his speech that a good many of the posts in the office of the Inspector General of Police are unnecessary and that this state of affairs is not peculiar to this department alone but that there are several unnecessary posts in the other departments also on account of which the Government is weighed down with heavy expenditure. During the last Budget session at the request of the members of this House the Hon'ble Finance Minister stated that the Government is considering the question of reducing the pays of the officers. But inspite of the fact that this was stated long ago no result has as yet accrued from the deliberations of the Government.

From a study of the Census Report it will appear that the income per head of a person in the State is anna 1 and pies 6 per day while the income of a person in the other countries is much larger. But against this the standard of the pays of the officials in the State is much higher than that in the other countries. The difference in the salary of the juniormost clerk and the maximum salary allowed in the State is simply astounding. I submit, most respectfully, that in a country where the difference in the average income of a person and that of a Government official is so great as is the case in the State, then the country is not only affected adversely financially but it also gets a moral set-back.

Our country has to bear the burden of administration which it cannot bear and sufficient funds cannot be made available for works of public utility. I will urge the Government most strongly to reduce expenditure on the salaries of the officers and bring the unnecessary staff and departments under reduction so that it may be possible to provide more funds for works of public utility.

In his speech my worthy friend Lala Hans Raj stated that he has been going to Srinagar for the last 28 years but he has not seen any improvement there during this period. But from my personal experience, I can say, that during the last 36 years the Government has made greater improvements in the Kashmir Province than in the Jammu Province, and that no opportunity has been spared for making improvements in the former Province. Although the money realized from the Jammu Province is spent on improvements in the Kashmir Province, we are glad that Government is doing its utmost best in making improvements in the Kashmir Province. But this is being done at the expense of the Jammu Province ; in fact the Jammu Province is being neglected. In every respect the Jammu Province is far behind the Kashmir Province ; be it in education, employment, agriculture, industries, trade etc., etc. I would request the Government to devote some attention to those people also who reside in the distant hilly Illaqas of Jammu Province, who sacrificed their life and property for founding this State.

Not taking any more time of the House I think it justifiable to submit that as His Excellency the Viceroy (Lord Linlithgow) remarked in his first speech now the officers should no longer sit comfortably in their chairs at home but rather they should go out into the Mufassils and see for themselves the conditions prevailing there. They should, so far as possible, try to help the poor in their difficulties. I hope the Hon'ble Ministers will also support these golden words of His Excellency the Viceroy and follow them out by personally examining the conditions of the people and helping them in removing their hardships.

LALA RAM LAL: Sir . . . . . .

MR. M. A. BEG: Sir, he belongs to Poonch. You said that he would speak last of all.

LALA RAM LAL: I want to speak on the General Budget.

PANDIT AMAR NATH KAK: But you cannot speak twice.

LALA RAM LAL: The Hon'ble President and members of the House, not taking long on the present Budget of the State I would submit that I am deeply disappointed at the speech which the Hon'ble Finance Minister has made while presenting the Budget. I will not say anything about the large number of unnecessary posts or for reducing the very large pays of the Government officials. The Government have clean forgotten their promises. They held out many promises to us. Last year during the Budget session at Srinagar I moved a resolution in the House for constructing a motor road for about 8 miles at Gutalian. It was promised to me on behalf of the Government that arrangements will be made for constructing this road next year. I do not know why the Hon'ble Home Minister did not consider this matter. I will read out the reply which the late Hon'ble Home Minister gave to my question in the House. The reply is:—

> "If the Punjab Government does not provide for the construction of this road in its Budget for 1937 then, we will make provision for it in the next year's Budget (*i. e.*, the Budget for 1937)".

I have fumbled the pages of the Budget so many times but I did not find any amount ear-marked for this purpose. The Government has provided two lacs for roads, but no amount for this road. I do not know why the Government has cleanly ignored the promise which it had made of its own accord. The Hon'ble Home Minister should have looked into the previous record, honoured the promise of his predecessor and provided the necessary amount in the Budget for the construction of the said road. It is an important road and the Government had also granted permission for its construction. But inspite of the fact that this resolution was passed in the House without any opposition, no provision has been made for it in the Budget. But that is not all; many promises have been put off like that. A resolution had been moved for constructing road between Uri and Hajjipir (Poonch) and the Hon'ble Mr. Wajahat Hussain stated in reply to this question that first, survey will be done for this road and later arrangements will be made for its construction. On this assurance I had withdrawn the resolution with the permission of the House. I will read his very words before you. The words are:—

> "THE HON'BLE HOME MINISTER: If Lala Ram Lal withdraws his resolution then the necessary work will be done."

"LALA RAM LAL: When it has been stated that survey will

be done and provision has been made in the Budget then, why is not the assurance forthcoming ?"

"THE HON'BLE HOME MINISTER (Mr. Wajahat Hussain): I promise that the survey will be taken in hand at an early date. I am sorry Lala Sahib did not understand my joke."

NOTE.—On this assurance the resolution was withdrawn.

The survey of this road has long since been over but no money has been provided in the Budget for its construction. I do not know why the Government does not realize our difficulties. Promises are made in the House but they are not kept and this disillusions us of all our hopes.

In a question I had stated about the Nallah Nil which flows between Kotli and Mirpur . . . . . .

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You are talking about Poonch ; you cannot have it both ways.

LALA RAM LAL: No, I did not speak about Poonch. I was submitting that there is a Nallah between the Mirpur-Kotli Road, which is called Nallah Nil. Many questions were put about this Nallah during the past sessions by several hon'ble members of the House. And the reply to those questions is to be found in the present Budget. I will read out the reply that was given to my question on 14th April 1937.

Question No. 292, dated the 14th April 1937, Praja Sabha Proceedings Vol. VI.

"Lala RAM LAL VAKIL: (*a*) Is it a fact that it was promised in the last session of the Praja Sabha that the estimates for the construction of a bridge over Nallah Nil between Mirpur and Kotli will be prepared and the bridge will be constructed ?

(*b*) If the answer to part (*a*) be in the affirmative, then, it may please be stated why has the construction of the bridge not been started so far and when will the construction be started ?

Reply.—"THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister): The estimate for the construction of the said bridge comes to about Rs. 34,040. Provision will be made for it in the next year's Budget."

There was another question relating to Nallah Nil. It was asked therein if Nallah Nil situate in the Mirpur District rises in floods which do lot of damage to life and property and whether some provision will be made in the Budget for constructing a bridge over it and thus saving the lives of the people. It was stated in reply that provision will be made for it in the next year's budget. But no provision has so far been made.

In reply to the question put on 14th October it was stated

that next year provision will be made in the Budget for this purpose. I do not know when will that 'next year' come. While the estimates have been prepared no amount has been provided in the Budget.

The public demands are altogether ignored. Besides the people who go by lorries to Poonch *via* Kotli-Mirpur have to face very great hardships. The lorries have to pass through the jungle and there is every danger of losing lives because the road is absolutely Kacha and there is no habitation or shelter for the passengers. The Government also realizes this difficulty and we expected, that in view of this, some provision will have been made in the Budget for the construction of this road. But there appears to be no such provision in the Budget. The amount of Rs. 34,000 which has been shown in the Budget is meant for the construction of other bridges. While it is so, no funds have been made available for the construction of the bridge that was most urgently needed.

In the Budget for 1992-93 provision was made for the construction of a Lady Hospital in Mirpur, but the amount was not spent and the whole amount lapsed. I do not know why this has been done.

In a reply to my question it was stated that there is a hospital in Mirpur and arrangements will shortly be made for opening a Lady Hospital also. I have carefully looked into the Budget estimates and have attentively listened to the Budget speech but it is a matter for surprise that no provision has been made for opening a Lady Hospital. Last year when I put this matter before the Praja Sabha it was stated that Rs. 2,500 have been provided for starting a Lady Hospital in Mirpur. But there is no mention at all about the Lady Hospital in the Budget. I cannot understand why inspite of so many promises not one has been carried in actual practice. We are the representatives of the people and have to be answerable to them. So long as the Government does not act on its promises how are we to answer to the people. We are the representatives of the people but our demands are kicked aside. We do not say that we will not co-operate with the Government. We are always prepared to co-operate with the Government. But while it is so, it is the duty of the Government also that it should not be negligent towards the demands of the people. The Government first ought to attend to the demands of the people and lay out its expenditure accordingly. On the contrary we find that our voice carries no weight. When we go back what will we say to them who elected us to the Assembly. What will we say to them regarding the promises that have so often been made to us.

I think it important to point out here that if you will not attend to our complaints and if you will disregard our demands like

that, then, I say it openly to the Government that a time will come when Government will be faced with serious difficulties and the Government will have to suffer very great loss.

In the present Budget we cannot find any handsome provision for works of public utility even if we made a search. I will request the Government not to disregard the demands of the public. The Government should fulfil the promises that it has made to the people and should encourage the public by providing sufficient funds for works of public utility.

SARDAR DHIAN SINGH: (Written speech) Sir, I am a newly elected member and I am participating in the Budget session for the first time. Therefore, I hope I will be excused if I use any stronger words than I should.

It gives me pain to say in open words what I saw when I first came to this House and what impression it made upon my mind. But if I speak against my conscience it gives me pain and as I am an elected member, if I make a secret of it, I have to be answerable to the people. Therefore I may be excused. I will make my submission most respectfully and as briefly as possible.

The replies which we have received to our questions during the past sessions and the present one and the fate that our bills and resolutions are meeting is unjust and unreasonable. Resolutions and bills intended for the emelioration of the people are being evaded on the strength of the Government being in majority. It is as if the Government members enter the Hall with the very solemn determination that they will not, so far as possible, let any matters regarding the uplift of the people succeed. I think, these remarks should suffice on this point.

I want to make it clear that the times are different now. The public has begun to understand these matters. So long as the people were steeped in ignorance and illiteracy and were afraid of the Government they could not understand these matters and regarded the utterances of officers as if they had been commandments from God. Therefore the people are now losing love and respect for the officers and in its stead want of confidence is taking hold of their minds. When the owner of a house wakes up he does not let anybody steal his property. The public is now wide awake and knows that it has also a right to expect some thing in return for land-revenue and tax from the Government.

The ruler of course, is capable and intelligent and is a subject-loving man of high and lofty thoughts. But the officers of the Government do not allow the voice of the people to reach His Highness. They give it such a colouring that the original intention of the public is altogether reversed. How simple it is that if the officers wear velvet and silk the poor people should at least get Khaddar to clothe their naked bodies and that if they

take four meals a day the poor should get at least two bare meals to fill their hungry stomachs.

What do the people want in this Budget ? Their demand could be heard at every step the other day but we were surprized to listen to the Budget speech of Hon'ble the Finance Minister, for, while only a few thousand rupees have been provided for the uplift of the poor, the amount is shown to the poor as if it were lakhs of rupees. It is a matter for wonder why this House should be called Praja Sabha for the voice of the people is not attended to here ; and the number of elected members is so meagre. Of the members who are elected if there are any who want to do good to the people their attempts are all thwarted and none of their demands is allowed to be fulfilled without fuss or hindrance. How much better it would have been, if this House had been called the "Rajya Sabha ".

I remember during the time of Mr. Wakefield one person was given contract for timber ; but he was given Rs. 7 lacs besides in hard cash. There is a saying that " Gur " once appeared before God with a complaint that everyone who sees him, eats him and that something should be done to protect him. But he was ordered to keep at a distance for God said, " Your sweetness is tempting me also."

That amount of seven lakhs made the man wealthy for several generations and the Government was left no option but to sleep over it. Loans were advanced in Srinagar proper to the Bhagats ; but the realization of it became a problem. Now, from yesterday's report it appears that a sum of about 3 lacs has been remitted.

Only recently Mr. Haksar has been given contract for sheep breeding and the Government has agreed to grant several thousand rupees from the Treasury. I wish money had been sanctioned as freely for the uplift of the poor also on whose earning depends all this show, dignity, prestige, honour, merry-making, cinemas, cars, feasts and parties ; and in fact the entire machinery of the Government.

The Government has Post Offices, Telegraphs, Telephones, wireless etc. for communicating with His Highness. It is possible to listen to news, speeches, songs, dances, in their natural voice and tone with the help of a radio. But what a pity all these instruments have failed in conveying the voice of the people to the ears of our beloved ruler. Of what avail is it to complain against these inanimate things when even men are helpless for certain unimportant reasons. Even those I. C. S. gentlemen who have come from outside have failed to cure it, what use is it then to pay so high salaries to them.

The figures for receipt have been presented very cleverly in order to maintain the increased expenditure. When even the

reshuffing of figures from proper heads was inadequate then. the Goverrment pounced upon the income of Rs. 60,000 realized from the Dharmarth Railway. Perhaps the Hon'ble Ministers do not know the very strict orders there are of late His Highness for using the money from Dharmarth like that.

Funds are not generally withdrawn from the head to which they are allotted but during the reign of Suraj Bansi rulers the administrators have taken this step for the first time. It seems that His Highness has no knowledge about it or else he would never have allowed any violation of orders of his ancestors.

Now to the means adopted for augmenting the income of the State. Like the fabled Mathura our State is also a strange place. Everywhere duty is charged on an article only once but in the Jammu and Kashmir State we have to pay Customs duty on an article at three different places. The vegetables and produce from Poonch is exported . . . . . the Poonch administration has not been allowed to charge duty on import from Kashmir while Kashmir may charge Customs on the produce of Poonch. Is there any parallel in the world for such an example as has been set by an advanced Government like ours.

Will the Hon'ble Finance Minister please state reasons for this when during the last session he promised that this irregularity will be removed and the old order will be restored. Hon'ble the Finance Minister was reminded of this the day before also ; but no action has been taken so far. I want to ask the Hon'ble Finance Minister why has this noiscme practice not been stopped and when will this unwelcome blot be removed.

I want to draw the attention of the Hon'ble Prime Minister to the following:—

From the reign of Sri Maharaja Gulab Singh Ji Bahadur, who founded this State, up to about 1980 the pay of the Ministers had hardly reached Rs. 1,200. But within ten years it rose from Rs. 1,200 to Rs. 1,500, then to Rs. 1,800, Rs. 2,100 and finally to Rs. 2,500. Had it not been questioned in the Assembly then with another leap or two the pay of the Ministers would have gone up to Rs. 3,000. This move did not stop short there but [illegible] the pay of the Secretaries and other officers kept on steadily rising also until the pay of the heads of the departments rose higher than the pay of the Ministers, *i. e.* it rose to Rs. 1,200. This was done so that no one may have occasion to complain.

In return for such bloated salaries it was but necessary that something be added to the income of the State by resorting to means which should be just and suited to the needs of this country. The principles of scientific agriculture should have been explained; new implements should have been designed; agriculture should

have been improved considerably to enable the poor zamindar to get a solid meal a day and clothes to cover his naked body. It should have been the constant endeavour of such highly paid staff to make the relations of the ruler and the ruled very cordial. But instead agitation and unrest is on the increase in the country. How sad it is that the other day a bill was moved in the House which provided for the removal of not only His Highness' name but also deprived him of his rights. This bill has perturbed the feelings of 36 lacs of people of the State and it is a proof of the allegiance of the people to His Highness. It is the accepted opinion of common people that such a bill should not come again before the Praja Sabha because neither the faithful subjects nor the employees can any longer bear it. Therefore, the hon'ble mover should at once withdraw his bill. Here is another illegal act of this heavily paid party. In a judgment which was not legal there was an objectionable remark which terribly upset the Hindu and Sikh subjects of the State. There were meetings, and demonstrations and waste of money; and award of punishments; there was loss; unemployment increased and at last Maharaja Bahadur made an Ailan; the cases were withdrawn, the prisoners were released and the effect of the remark was softened down.

In this drama there was an event the like of which has not been heard before. The innocent Dropadi was dragged by the hairs into the court of the Kaurvas and she was disgraced. What was the result? Exactly fourteen or fifteen years later the fate that was meted out to the Kaurvas and is fully known to the world and the present degradation of our country speaks for that.

In Jammu when our Ruler His Highness the Maharaja Bahadur had been away there was a remark in the judgment of the High Court and in the stubborn agitation there was lathi-charge not on one woman but on scores of them; force was resorted to and the treatment that was meted out was most deplorable. The world knows what followed when Dropadi was disgraced. But the Government did not think what will be the result of lathi-charge on innumerable innocent women. This tale will for ever be remembered in the history of the world and this will for ever be an ineffacable blot on the face of the Government.

This news spread in the entire Punjab and the rest of India but due to the "kindness" of our C. I. D. the news could not reach our Hon'ble Prime Minister. The nearer the church the farther from God. The pity of it is that the officers who were responsible for this illegal and uncalled for remark did not think that this will injure the feelings not only of the Hindus and the Sikhs but it will also greviously hurt the souls of the forefathers of our Maharaja Bahadur.

I want to draw the attention of the House to the treatment

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that has been meted out to the instigators of this disturbance. Why should they not be held responsible for all this agitation, and the loss of life and property, and the disgrace of women so that no one may dare make such a remark in future. This is perhaps the result of the high salaries they draw.

Now I turn to the Budget and ask the Hon'ble Finance Minister whether he ever thought how much an individual will get per head out of the money provided in the Budget for a population of 36 lacs. I think that comes to about a rupee per head. How far can this be advantageous for the people and how far can they be happy. How sorry is the state of the people in a country where they have no roads, nor bridges; no houses for shelter; nor food for the hungry; nor clothes for the naked; nor cots to sleep on, but against this they are heavily burdened with taxes.

Is it enough that out of lakhs of rupees earned by the very sweat of their brow only one rupee per head be provided for the public needs and demands.

Now see, how much is spent on civil administration. The expenditure on the privy purse, military and civil administration alone amounts to two crores of rupees.

When Sir Philiph Sidney lay dying in the battlefield and water was offered to him he gave that cup of water to a wounded Sepoy who extended his hand for water, and himself died of thirst. That cup was not of much value but that cup is still full in the memory of the late Sir Philiph Sidney. This incident is written in letters of gold in the history of the world.

I wish the high officials of the Jammu and Kashmir Government were to give a loaf of bread from their rich and dainty dinner tables to the hungry, thirsty and homeless people. What I mean is that the officers would have made some reduction in their bloated salaries and sacrificed some bit for the poor zamindars—thereby setting an example at least for once.

I wish I could take you eighty to ninety years back to show you how many seats were reserved for the Dogra family in the Darbar of the late Sri Maharaja Ranjit Singh Ji, Sher-i-Punjab. I wanted to tell you besides, the positions they held and the places where they ruled. How sad it is that the public of that benign ruler, who helped to strengthen the Dogra dynasty, is now in a miserable condition and I wish that not only the Sikhs but the Hindus and the Mohammedans had been fairly treated and there had been a Sikh Minister for conveying the voice of the people. I wish Sikhs had been granted all those rights and privileges which are enjoyed by the rest of the public. But how sad it is that the replies which we get to such demands and questions are always discouraging and disappointing.

In reply to questions when supplying facts and figures it is

stated that in such and such branches of the administration there are no Sikhs. But instead of supplying the deficiency in the services Hon'ble the Finance Minister who prepared the Budget asserted that the Sikhs are more than over represented in the Government services. Well, God bless him ; let the other communities divide these posts amongst themselves. Perhaps, they may not get another opportunity.

The figures in the present Budget are extremely disappointing. As a representative of the Sikhs this budget is not acceptable to me. If the elected members of all the various groups feel that the Budget is defective and needs a revision then why all these speeches. If you all agree the Budget copies may be returned and the Government may be requested that the Budget may be revised and the pay and the establishment may be reduced to what which was in 1980. As it is the Budget is not useful and speaking on it is sheer waste of time. The nominated members have a different point of view ; if they have any feeling for the people then they can also join us. The rest I leave to you. I have expressed my views and now I resume my seat.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Before we take up the agenda for today it will be better if I tell you the programme which has been agreed upon between us. Twenty minutes will be reserved for discussion on Poonch and Chenani Budget. There will be general discussion on the Budget till 2-40 P. M.

MR. M. A. BEG: 15 minutes may be deducted from the time allotted for Poonch Budget because L. Ram Lal has already spoken.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It is just possible, that somebody else might like to speak.

SHEIKH KHAN MOHAMMAD KHAN: I would like to speak.

LALA RAM LAL: Sir, I would also like to speak on the Poonch Budget.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): All right . . . . . Mr. Kilam is to speak now.

PANDIT JIA LAL KILAM: The Hon'ble President, Pt. Amar Nath Kak and Mr. Sh. Mohammad Amin have drawn the attention of the House to general items. I do not think it is necessary to speak any further on these points. But I find that there are several things which have to be brought to your notice. My submission to you, Sir, is that when I looked into the Budget I found that several matters had altogether been ignored. Namely that in the Budget no reduction has been made in taxes an land-revenue. Now the question before us is whether the Government should make this remission or not. I think I am justified in doing so. The rates of paddy in Kashmir used to be Rs. 3-12-0 and uptil last year the zamindars were paid for Shali at this rate. Now on ac-

count of fall in prices the Government has fixed the paddy rates at Rs. 2-2-0 instead of Rs. 3-12-0 per Kharwar. The Government used to pay us at the rate of Rs. 3-12-0 per Kharwar until last year which means that Government itself admit that prices have gone down by Rs. 2 per Kharwar, *i. e.*, there is now a reduction of 50 per cent. If the Government wanted to be just to us then, it was the duty of the Government to reduce land-revenue also. I will s ate the history of the case. Land-revenue was assessed five or seven years ago. Then the war effects had not altogether subsided and the paddy prices during these days were more than Rs. 6 per Kharwar. Land-revenue was assessed at the time when the paddy pri:es were higher but from that time onwards until a year ago rates of paddy had been fixed by the Government at Rs. 3-12-0 per Kharwar. When the rates fell it was the duty of the Government to pay attention to this matter, for if the price of the produce goes down by 50 per cent. then the land-revenue should also be lowered to the same extent. This is a demand which is perfectly legitimate.

RAI BAHADUR MR. JAGAT PRASHAD: The assessment of the land-revenue was made on this assumption that the price of Shali was only Rs. 1-10-0 per Kharwar.

MR. JIA LAL KILAM: The other matter to which Mr. Kak drew the attention of the House was that the administration of our State is top-heavy. I want to clear this point. I am not of opinion that the standard of living of the people here should be lowered, but rather I think that the standard of the low-paid people should be raised, and some proportion should be fixed so that there may not be very great disparity between the low-paid and high-paid officials. But the situation here is that if a person draws Rs. 4,000 per month his clerk draws only Rs. 20 per mensem. This is not only my opinion, it is the opinion of the Hon'ble Prime Minister also. He said in his convocation address:—

> "But if the nation is to progress as a whole, this notion of the relative superiority and inferiority of different occupations—an idea so alien to our conception of the true individual Dharma—has to be laid to rest and low standard of life of the bulk of the population has steadily to be pulled up even if it involves some inconvenience to the maintenance of the bloated standard of the lucky few."

But in spite of his remarks to this effect we do not find anything of the kind in the Budget. Here the pays of the Ministers and the higher officers (I do not refer to any Hon'ble Minister or officer in particular) are the same as before. If an Hon'ble Minister cannot live on less salary than Rs. 3,000 then how can a peon live on Rs. 12 per mensem. According to the wishes of the Hon'ble

Prime Minister, the other Ministers should voluntarily offer to accept less pay so that it may be possible to lift the low and the down trodden. I did not find any reference to it anywhere in the Budget.

The other matter which deserves your notice, Sir, is that there is no provision at all in the Budget for removing unemployment, although the Hon'ble Prime Minister promised that steps will be taken to remove unemployment and he has very aptly remarked:—

> "Un-employment is an indication essentially of the misfit in the economic organization; it is not the result of what some people would call or over much education."

When the Government admits that there is a misfit somewhere in the present system then what steps have been taken to remove this. What great height of unreasonableness is there that while the pay of one man is Rs. 2,000 per mensem and that of another is Rs. 12. This disparity must be removed, for the Budget is disappointing as it is. The Hon'ble Prime Minister himself remarks:—

> "The permanent remedy for un-employment apart from palliatives that must be adopted for giving relief temporarily to persons badly hit by it—is gradually to lessen and finally to remove the misfit in economic organization."

That is to say, there are two things. First, the economic misfit has to be removed before anything else is possible. Besides, I will submit that five to six thousand rupees have been provided for cottage industries. I will rather say that this is one of the impossibilities. What development in cottage industries can be possible with a meagre sum like that. Besides, I submit that agriculture is also not flourishing as it should. This morning I looked into the Budget from cover to cover with a view to finding if any provision has been made for saving the soil from delusion but not a penny has been put in the Budget for this purpose.

The other matter is about the seeds. Our seeds are not of any standard value; therefore, it was the duty of the Government to consider this matter but no provision has been made in the Budget for either the seeds or the soil.

I read in the paper 'Hindu' from Madras, about which Pandit Jawahar Lal has a very high opinion, that the Kashmir Government is advancing loans to the agriculturists. I went to Hon'ble the Prime Minister and asked if this was a fact. He replied, "Of course it is right and the Government wants to give loans"; but, how strange it is that there is a scheme for advancing loans to the agriculturists while there is no provision for it in the Budget. Therefore I would conclude by saying that our Budget is like the classic feats of juggler.

MR. M. A. BEG: Sir, as there is very little time left I will make my speech very brief and will through your honour place my submissions before the Government. The most important thing which I want to say is about the policy of the Government with regard to land-revenue. Up to date we have asked several questions and moved many resolutions regarding the Budget but none of our objections has proved very effective. From a perusal of the Budget that has been placed before the House it appears that the Government does not want to change its present system of land-revenue. I want to make it clear to the Government that every penny that is realized from the people is got by excess and violence. The Hon'ble Finance Minister said with pride that it is a balanced Budget but no member of the House who has carefully read the Budget will admit this assertion as correct. Mr. Kilam said that there should be a reduction in land-revenue. He was justified in saying so. My friend, Sheikh Mohammed Amin said it in clear terms that from the time there has been a fall in prices of commodities the other native States have tried to give relief to the zamindars in every possible way. But it is a pity that all this talk of ours has had no effect on our Government and the poor people are squeezed from all sides. During Mr. Kilam's speech Mr. Jagat Prasad, Accountant General remarked that at the time of assessment paddy was valued at Rs. 1-10-0 per Kharwar, in the areas where rice is cultivated. I can produce the assessment report of Tehsil Handwara. On page 40 of the report under item No. 2 it is stated that for purposes of assessment paddy was charged at more than Rs. 3 per Kharwar. I challenge the Government in this matter because I have collected these facts and figures from authoritative records. In this assessment report it is stated that in Handwara there are no village markets and no Sahukars. In spite of the fact that there are no markets nor Sahukars and the Illaqa is at a great distance still at the time of assessment the rate at which paddy was charged was not Rs. 1-10-0 but Rs. 3 per Kharwar. This clearly shows that while assessing land in these Illaqas, paddy crops was valued at Rs. 3 per Kharwar. It is on this basis that we demand. that as stated before, the assessment of land-revenue should be based on Income Tax principle. Since that is not practicable just now it is necessary that some relief be provided for the poor zamindar who is the backbone of the Government.

The income of the State is shown in the Budget Rs. 2,39,49,000 but on page 11 the amount shown against the item "Refund" is seven lacs. But the practice followed in British India is to show the amount of refund as deductions from receipts and the receipts from income are shown after deducting this 'refund' amount. But it is a wrong procedure here to show the refund on the side of the estimates for expenditure. This is done in order to show higher

income. Any way, this is all a jugglery of figures. The other matter worth consideration is that on the side of income, Rs. 1,49.900 are shown against the item ' Road Cess ' in the Budget. Our group protests that when no reduction has been made in land-revenue then, at least there should be an end of Road Cess, Sanitation Cess, Education Cess and Patwar Cess etc. etc. This unnecessary burden should be lifted off from the heads of the zamindars because the poor peasant can no longer bear the burden of these cesses. Regarding expenditure, I will briefly state that the Government can reduce the unnecessary expenditure on several items, and without much trouble. I want to draw the attention of the House to the fact that the Salary Commission is doing its work. The question of reduction in salaries is already under consideration. In this connection we have already stated our view point. In brief it is that these bloated salaries may be reduced and that the pays of the clerks and the peons may be raised. There should be a marked reduction in the salaries particularly of the Ministers. In the other Provinces of British India where the Congress is in majority the pays of the Ministers is Rs. 500 and the cases of several native States like the Mysore and Travancore have also been cited in the House. If these examples are a red rag to the Government then the example of the Congress Provinces should be kept in view. Why should not our Ministers also, keeping before them the sentiments of the people. accept Rs. 500 as pay. My worthy friend Mr. Kak stated some thing regarding the Police. I will simply support his remark by saying that there appears no reason why there should be so many Senior Superintendents of Police and such an expensive paraphernalia should be attached to the Inspector General of Police. Besides, in the Forest Department there are 16 Assistant Conservators and 16 Deputy Conservators the expenditure on whose salaries is one lakh and forty-seven thousand rupees which is a great burden for the poor. We have so often drawn the attention of the Government to this fact that we can no longer tolerate the unbearable expenditure of this Department. There must be a marked reduction in their pay and personnel. Even so, in the Public Works Department the number of Engineers and Assistants has unnecessarily been increased. Sufficient reduction is necessary in their pays. The Government is spending one lakh and twelve thousand rupees on their pays alone and all this money is realized from the poor who earn it by the very sweat of their brow. The large number of unnecessary Secretaries in the Government administration must have struck the Hon'ble Prime Minister also. This also needs a reduction. Now, I take the case of Sericulture Department. We hear complaints against this Department from day to day in the Press and on the platform.

The demand of the labourers is that the salaries of the officers

should be reduced and their wages may be increased.

Now let us turn to the Finance Secretariat. Its expenditure amounts to Rs. 75 thousand. When formerly one Accountant General controlled this department then what need there was for this entire Secretariat ? And is it not imperative that for giving effective relief to the tax-payer this unnecessary burden should be lifted off his head. Next, I turn to the post of Judicial Secretary. The expenditure on this post is Rs. 5,340. Your worthy predecessor, Sir, worked both as Hon'ble Chief Justice and Judicial Minister. He had one Registrar, High Court, under him who was paid a nominal allowance in return for which he worked also as Judicial Secretary. But later, on the separation of the Judicial Secretariat the unnecessary burden of the post of Judicial Secretary was thrown on our shoulders although your honour is working both as President, Praja Sabha, and as Judicial Minister. It can be very conveniently arranged that one Secretary should work both the departments. That is to say either the Praja Sabha Secretary or the Judicial Secretary can take up the work of both these posts particularly when there is an Assistant Secretary, Praja Sabha. Since this matter concerns you personally, Sir, I hope that you will give it your special attention.

Now I take the office of the Hon'ble Revenue Minister. The Revenue Secretary gets Rs. 100 per mensem as Shali allowance. At first sight the amount looks so small but it deserves our thought that when the price of paddy has been reduced to Rs. 2-10-0 per Kharwar and when a large number of employees of the Food Control Department have been thrown off the employment then there appears no reason why the Revenue Secretary should still draw his allowance. Though this will not help very much yet it is just a point of principle.

THE HON'BLE MR. K. N. KNOX: Shali allowance has been stopped.

MR. M. A. BEG: I refer you to page 48 of the Budget which shows that Rs. 1,200 are given to your Secretary.

THE HON'BLE MR. K. N. KNOX: No Shali allowance is given to my Secretary.

MR. M. A. BEG: I hope Accountant General will throw light on it. However, this occurs in the Secretariat allowances under the Revenue Secretariat on page No. 48(*b*) of the printed Budget.

Now I want to draw your attention, Sir, to Revenue Assistants on page 56 of the Budget. In Samvat 1994-95 the strength of Revenue Assistants was 9 and the year before it was eight only. There has been no decrease in expenditure but rather it has been increased. The provision this year for Revenue Assistants is Rs. 30,270. We know of no reason why these posts have been increased. So far as we can ascertain these posts have been in-

creased to oblige a few favourites or else there was no need for increasing the number of these posts. Rather it has been found from actual experience that the Revenue Assistants have no work. They are only proving a nuisance for the public. When a Revenue Assistant goes out on tour he fixes the hearing of the cases of Anantnag in Kokarnag, of Kokarnag in Pahalgam, those of Pahalgam in Shalamar and those of Shalamar in Kund. There is no doubt that all these places; Kokarnag, Pahalgam, Shalamar and Kund are good health resorts. These officers tour the Illaqa only at their own sweet will and convenience. They do not care a bit for the hardships which the poor people have to suffer in going over to distant places for their cases. It would have been much better if all these posts of Revenue Assistants had been abolished instead of being increased so that the tax-payer could be relieved of all this unncessary expenditure.

Next, on page 52 of the Budget, under the head 'Medical' we find the expenditure detailed for the post of State Surgeon. We do not know what need there is for this post and why is this sum of sixteen hundred being spent.

For want of time I cannot discuss every item.

We cannot understand why it has been found expedient to remove the distinction of "Beneficient Departments". We are complaining again and again that Government should devote more attention to the beneficent departments. But the Government does not pay any attention to matters which might help the poor. Instead they make provisions for higher posts.

In the year 1993-94 the provision for Co-operative Department in the Budget was Rs. 1,36,700. In the Budget estimates for this year the provision has been reduced to Rs. 1,36,200. That is to say there has been a reduction of Rs. 5 0 inspite of the fact that the Co-operative Enquiry Committee had definitely recommended that no reduction whatever should be made in the provision for this Department; rather it should be enhanced by twenty-five to fifty thousand rupees. These were the recommendations of an official body but these too have not been followed. The provision for the Agricultural Department in the Budget is Rs. 1,34,000 while it was Rs. 1,35,000 last year; which means that there has been a reduction of Rs. 1,000 in the grant for agriculture. In Education grant there is an increase of three lacs. We would have appreciated this increase provided it had to be spent on education. But, as it is, the increase has been made for raising the pays of the higher officers in the Education Department. In reality very little is spent on education; particularly on village education. I do not have the time otherwise I could state in detail and prove that the ratio between the amount which the Government spend on village education and the return it yields is that of a rupee to a pie. Other

people profit by it; therefore it is necessary that Government should reduce the posts which carry big salaries and spend the whole of this amount on the extension of primary education.

In short I would submit, Sir, that the Budget for the current year, taken as a whole, is as disappointing as that of last year. The Government is seeing for itself that from every corner of the House there is nothing but condemnation for the Budget and on behalf of our group also it deserves unqualified condemnation.

THE HON'BLE MR. K. N. KNOX: Possibly I was too hasty in interrupting my learned friend by saying that no Secretariat allowance is charged for Shali account, but so far as I know this allowance is not charged on Shali Department. I therefore apologise.

MIAN AHMED YAR: Sir, as there is very little time left I will not discuss the Budget in detail. I will, however, discuss the Budget as a whole.

"Budget" is a French word which means "bag". Speaking generally that chart is called the budget in which the income and expenditure of a country or a society has to be balanced. In France the public budget is placed before a Chamber of Deputies and these representatives can in the interests of the public good increase the provision for certain heads and nobody else has right to question this. In our country also, to know the public demands, His Highness has under section 1 of the Constitutional Regulation ceded this right to the people; but this right of the people is being badly ignored and their demands are no longer listened to. The pockets of the people are filched and heavy toll is realized from them. Regarding the budget, the policy that the State has adopted is to put it before the House in round about manner and thus opportunities are provided to the members for lengthy discussions and unnecessary introductions. The greatest difficulty which has to be faced is that budget copies are not supplied to the members sufficiently in advance of the session so that they may be able to go into detail and study every item very carefully.

In France the budget is placed before the House like this. The copies of the budget are sent to the members four weeks before the session and then the budget is placed before the House. This enables the members to prepare themselves for speaking on the budget. The Senate is not empowered to pass the budget unless it has been approved by the Chamber of Deputies. You can judge from this the amount of difference there is in the working of the democratic institutions here and elsewhere. The Assembly has been started here just to hush the people, otherwise, in reality it is doing nothing for the people.

In 1927 the total income of the State was Rs. 1,37,04,000 out of which receipts from land-revenue were 34 lacs and income from customs was 12 lacs. Inspite of the fact that the income of the

State in those days was much less the administration of the State was working very smoothly. The public was not over burdened in any way nor any taxes were imposed from day to day to reduce the people to straits. No taxes were charged from pedestrians who walked on the roads. After 1927 many different taxes were levied and the income of the State was raised to nearly two crores and seventy-five lacs. Now the land-revenue has increased from 12 lacs to 60 lacs and the receipts from Kahcharai are 5 lacs and 5 thousand. Inspite of this the position of the State now, when compared with that of 1927 is no better. The income of the State from road-toll is nine and a half lacs. We cannot in any way compare our roads with those of the Punjab which are much better and the road-toll for which is Rs. 2 for every sixty miles. Your honour can clearly judge what amount of difference there is in the road-tolls of the Punjab and our State. Add to it, the Punjab roads are much finer and much better.

Besides, the income from the revised estimates for the current year is not very large but rather the estimated income shown in the budget is much less when compared with the actual realization of last year. In several cases the income of one department has been transferred to that of another and the receipts from one head are put under a different head. What effect does this have on the budget ? In the Revenue estimates of 1994-95 and the revised estimates for 1993-94 there is a difference of one lac and in Customs there is a deficit of nine and a half lac. In placing this budget before the House the Government has resorted to parliamentary tactics. That is to say, very low income has been shown in the budget, so that the people may not demand reduction or abolition of the taxes.

In 1927 the expenditure on Police was four lacs while now it is twelve lacs. But inspite of this the administration of Police before was much better and in those times no such complaint was received against the Police as some honourable members remarked in their speeches in connection with the budget.

The income of the State rose but the expenditure rose also. The expenditure was largely made on high salaries and for providing posts to a few favourites and the relations of those who were well placed. The income of the State is disbursed on unnecessary posts and expenditure. At this time I am reminded of the verse which Lala Hans Raj quoted in the House yesterday:—

بهر قسیم قبور انجمن ساختنه
من ازین بیش ندانم که کفن دزدے چند

Big posts are created to divide the money amongst a few. It is my belief that the budget of 1927 is practicable even now. The income of the State has not been raised by any just means. Rather it has been increased by exposing the poor people to serious hardships. If a zamindar has taken into his possession *Shamilat* land,

or has reclaimed it, he is heavily fined, although under Ailan No. 17 such lands can be reclaimed and can be included in one's property. On the side of expenditure the arrangement for irrigation is quite inadequate; the means of communication are limited and unsafe. This is because money is not spent on any works which may directly help the public but rather it is spent on creating new posts carrying huge salaries. No work of public utility is started in the State. Only recently the post of special Law Officer and several other posts were created and for providing money for this unnecessary expenditure the pockets of poor people are fumbled and the officers themselves become partners in the booty. In England in any country if the representatives of the people are not satisfied with the budget then the ministry is changed and the representatives of the House are given the assurance that the budget is sound. But the conditions here are very different. The people are entitled to make a demand that in the event the budget is unsatisfactory the ministry will be ousted. Under these circumstances the best way to satisfy the people in running the Government is to take the people into confidence so that they may be convinced that their Government has our welfare at heart and whatever it does, it does for their uplift and the betterment. The result of this is that both the ruler and the ruled are happy.

On behalf of the Government it has been stated with regard to forests that its income when compared with that of 1927 is much higher; although the expenditure has also gone up little bit. This is absolutely wrong. Apparently, of course the income has increasd, but in reality we cannot call it an income. The State iis rich in forest wood and produce and now from a tree down to a thorn the forests are being wiped clean and the safe treasure of the State is being wasted and even then it is said that the income has increased. A time will come when no forests will be left and this income will then naturally fall. Therefore it is not wise to regard this income as permanent and secure and treat it under separate heads.

Regarding Kahcharai I will submit that before the Settlement no grazing fee was charged from any village. The Settlement reports are available to prove the same. But now grazing fee is charged even from the villages where there are no grazing areas. We have all been submitting that grazing fee should not be charged from those villages where there are no grazing areas. But who cares. Grazing tax is also realized from those who rear the animals and are called Bakarwals. The zamindar is squeezed by fresh taxes. He says that land-revenue should be revised as has been done in the Punjab but nobody listens to him.

The Judicial Department which is meant for dealing out justice has now been turned into a Revenue-earning Department. In

1927 Court-fees used to be very nominal but now the receipts from Court-fees alone amount to one lac and seventy-six thousand rupees as if doing justice means doing business.

The Government has raised electric fees also although so often requests have been made to the Government that the electric fees should be reduced. As against this the electric fees in the Punjab are much less although electricity is generated there from fuel. It is a matter for surprise that we are getting so little in return for the sacrifices which the Muslims of the State largely made during the last agitation. Out of the 84 important posts of Departmental Heads and Provincial Heads only fourteen are held by the Muslims. While the Muslims draw only Rs. 52 thousands per annum the non-Muslims draw several lakhs.

Can the people feel satisfied under these circumstances ? If at any time the Government thinks of helping the trade of our country then capitalists like the Wattals, Bhagats and Haksars are sought for. The poor people who earn for the Government by the sweat of their brow are utterly disregarded. If Wattals, Bhagats and Haksars can become State-subjects, Colonel Haksar, Sir Tej Bahadur Sapru, Iqbal and Kichlus can also become State-subjects,but rather they deserve a preference. Nobody cares if the cottage industries get a set-back by advancing loans to the capitalists.

By raising the receipts from Customs to 60 lacs and Land-revenue to 59 lacs the labourers and the poor zamindars are being plundered.

The proper thing for the public good would have been to draw foreign capital into the State rather than supplying money from the State to outside capitalists.

The works of public utility need very great attention in the constituency from which I come. Between Aliabad and Uri there is no road. When His Highness visited Uri the people made submissions for supply of water. His Highness commanded that arrangements for water-supply may be made and a scheme was designed with this object in view, but to no result. The Government has laid down roads between Rajouri and Kotli because of political disturbances. There are no roads in Illaqa of Karnah, which is situated adjacent to the frontiers of Kabul, and where the people remained peaceful during the agitation.

At some places Government does a few things for its own sake otherwise the Government never undertakes anything in the interests of the people. There is a class of engineers in the Public Works Department who have absolutely no work. Unnecessary posts are created to provide a few relations of the officers. The number of such posts is a legion. Judicial powers have been conferred on the forest officers who have made the life of the poor people impos-

sible. The attention of the Hon'ble Judicial Minister was drawn to this fact who said that the question of withdrawing judicial powers from the Forest officers was receiving consideration. Now, the Forest Enquiry Committee is also doing its work but the result of not withdrawing judicial powers from the Forest officers has been that now the Guards do not desist from even outraging the modesty of ladies.

VOICES: Shame, shame.

MIAN AHMED YAR: . . . . . because they know that their own officers are to try the cases and nobody will ever question them. The officers also depend upon them and punish the poor zamindars. Inspite of the fact that assurance was given judicial powers have not been withdrawn from them so far, and the complaints against the Forest Department are daily on the increase.

The pay of the clerks should in no case be less than fifty rupees per mensem in order that they may be able to provide for their children. And the pay of the officers should not be more than Rs. 500 per mensem. In Madras, to which place our Hon'ble Prime Minister belongs everyone knows that the Congress Ministers have voluntarily acted like this so that snfficient funds may be available for providing facilities to the poor and for undertaking works of public utility in greater measure. Following their example several other officers, in whose pay the Assembly is not competent to enforce any cut, also are voluntarily reducing their pays.

The works of public utility here are altogether neglected. I wanted a copy of the Budget of 1927 but I could not get it in the Assembly Library. Here we cannot get the necessary books. The Assembly Chamber Building has inadequate accommodation. There is no independent Assembly Hall either in Jammu or in Srinagar ; nor are there any Committee or party rooms, the absence of which is being acutely felt.

Inspite of this there is complete indifference as if the works of public utility do not deserve any consideration whatever.

Yesterday there was a discussion on the Mineral Survey Department.

If this department is not doing any useful work, then why not abolish this department ; so that the money thus saved may be available for some other works of public utility.

Another new move has been made. As the saying goes. Not only had the worldly men been looted but the Dharmarth Department has also not been spared. The income from the Railway which was formerly credited to the Dharmarth Department is now taken up by the Government. How sad that while the Government does not spend anything itself on "beneficial works" it should rob the Dharmarth Department of the money that has been given to it for the uplift of the poor and other charitable objects.

My worthy friend Wazir Ganga Ram remarked in his speech today, that there is a great difference in the conditions prevailing in the Jammu and the Kashmir Provinces and that the Government is doing more for the Kashmir Province than for the Jammu Province. My submission regarding this is that it is not correct to say that there is any marked difference between the conditions prevailing in the Jammu and the Kashmir Provinces. Leave alone Srinagar, whatever you see is merely to attract visitors and to show off to the world. Otherwise the fact is that if you go into the villages you will find that the "Dogra" of this place is as backward as is the simple-minded "Hatto" of Kashmir. Whatever may be the case we cannot draw a line between the two provinces and we are not justified in adopting this attitude of discrimination. What we have to see is the way how the works of public utility are being utterly disregarded.

Now I will speak on Poonch . . . . . .

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You have to wait for the discussion of Poonch Budget. Only two minutes more for you.

MIAN AHMED YAR: All right, Sir. I shall finish it soon.

Another fact which deserves careful consideration is the use of parliamentary tactics in showing capital expenditure. The surplus of Rs. 23,000 is not real. If we were to recast the budget and were to compile it according to the budget of 1927 and abolish several posts and departments which have unnecessarily been added then sufficient amount can be made available. We see at present that there are many items which are absolutely unnecessary and expenditure on which is sheer waste of money. The very great loss which the Food Control Department has had to suffer is due to the fact that they are keeping a costly system of administration and the expenditure on the Direction Office is unbearable.

Therefore I submit, that this House and the Council of Ministers should realise that the people here are much backward and useful measures should be adopted for their uplift. Otherwise, according to the parliamentary procedure our present reaction to the budget and the expressions of want of confidence in the budget from all quarters amount to a vote of no-confidence in the Ministry. If such a thing had happened in England it would certainly have meant a fresh election.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Since many members want to discuss the Poonch Budget but the time at our disposal is one hour only and if every member is allowed to speak for ten minutes the discussion will not be over within the specified period. Besides this we have to discuss the Chenani Budget therefore it will be proper that every member instead of speaking for fifteen minutes should speak for ten minutes.

SUBEDAR KHAN MOHAMMED KHAN: Sir, the entire income of the Illaqa is disbursed on the pays of the officials. Five primary schools were brought under reduction. The scholarships of Rs. 5 each which was awarded to two orphan students on account of their fathers' 32 years service, have been stopped. The sum of Rs. 1,500 had been granted as scholarships for the students whose fathers died or became unfit for service in the Great War. But it was provided therein that those students who read in the middle schools, high schools would be granted the scholarships and the amount of scholarships could be increased if need be. As there were no middle schools and high schools in villages and the poor village students, on account of their being poor, could not receive higher education, therefore the sum was shown in the sanctioned budget and it was expended on other works. Now, as middle schools and high schools have been opened in villages and the deserving students are available the reduction of Rs. 500 has been made in the grant of scholarships. A village hospital has been brought under reduction and a sum of Rs. 2,000 which was allotted for the construction of village schools has also been stopped. The zamindars carry a lump of salt on their shoulders for their cattle from British territory, they were charged eight annas per maund as customs duty on concession rates, but now the customs duty on one maund of salt is increased up to Re. 1 and annas 8. By these reductions the Poonch budget is being made good. No provision has been made in the budget for the rural uplift, improvement in agriculture, extension in the means of irrigation, opening of village hospitals, industries or encouraging the primary education. Means of communication and transport are very bad. If twenty seers of grain are purchased for a rupee in the British territory, it comes to about two seers of a rupee here. At a hundred miles distance there is no bridge at Lachman Pattan over the Jehlum river. The river is crossed by boats and when it is inundated this transportation by boats stops for months together. In these times grains do not sell at the rate of 4 seers per rupee. There are big Nallahs in the interior of Poonch Illaqa which carry away hundreds of persons every year. But no bridge has been constructed over these Nallahs so far.

As regards education, there are only one hundred primary schools divided in five hundred villages where one village spreads on several miles in area. From these schools there are many such schools where there is only one teacher to teach all the hundred students with the result that he cannot in any way teach them all.

There are four middle schools in villages. There is neither the sufficient staff nor the building of the school. These are only middle schools by name. Besides, there is a high school in the village which has not been completed since the last ten or twelve

years. Neither the staff is sufficient nor the building of the school has been constructed. The subjects of Science and Drawing are also not taught in the school. The annual expenditure of the school is Rs. 700 while the expenditure incurred on a high school in a town is almost the sum of Rs. 2,000 per annum.

As regards hospitals, there is only one hospital in the city proper, and three hospitals are in Tehsil Head-quarters. But no hospital exists in villages. Those which are in Tehsil Head-quarters, are not granted sufficient medicines. One Lady Hospital is in the town but there is no such hospital in the Mofassils. There is one veterinary hospital in the city but in the villages even medicine of a penny is not spent on the treatment of diseased animals. In order to feed themselves, many departments have been established separately. If these departments are amalgamated with other departments the work will not suffer. For instance, Game Laws Department, Reception Department, the post of Garden Officer, Sericulture Department and Military Department. But if there is a slightest emergency of military, the forces are directly called for from Jammu and Kashmir Government. There are also military forces in Poonch on which the Government of Poonch have to spend half a lac of rupees every year.

The zamindar can get as much produce from his land as is sufficient to feed him for four months only. He is pressed under the burden of Customs duties. No provision has been made in the budget for his improvement. I, therefore, appeal the House that attention should be paid to the survival of the population of 4 lacs of people in Poonch Illaqa, and Poonch Budget should also be taken into consideration.

LALA HANS RAJ: I also want to say something on Poonch Budget. It is because I have also visited the place and am acquainted with the conditions of the Illaqa.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Is it in regard to Chenani ?

LALA HANS RAJ: No, Sir, it is in regard to Poonch. If I am permitted, I would speak.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Yes, you may speak.

LALA HANS RAJ: Sir, it is true that new light has spread here and is also said that our country is making progress in this way but I think that this is not progress but the reverse. In your honour's presence several of my learned and honourable members have spoken enough but I only want to submit that although I have been in the Assembly for the last two years yet I have got years of experience at my back. The subjects wish that the work for their good and improvement may be executed very soon but the Government pass away the time in hesitation. I am reminded of an

anecdote. There was an old woman of Jats who used to cook thin '*dal*'. She had four sons. One of the sons enquired from his mother, why do you prepare such a *dal*. The eldest brother asked the younger " let it go my brother, our mother is simple. If she gives the thin *dal* what is the harm in it, sup it up ". But the youngest brother said " Brother, mother is not only simple but is is also clever ". (Laughter)

If people of our class are enquired regarding the budget they will reply that it is of no use to the country. Rather it is useful for those departments where looting is common. There is exactly the same condition in Poonch and there, expenditure is being incurred uselessly on several departments. My objection of raising the question of offering (bribery of) cocks was that whenever these people go on tour in the Illaqa they do not like anything else and they only ask for hen, eggs and butter and thus they harass the people by weilding their influence over them. It can be proved if enquiries are made in this regard. The better procedure would be that you should yourself go in the Illaqa and see and enquire in the matter confidentially.

Sometimes ago I went to Poonch although the conditions were not satisfactory yet the good Muslims respected me as an old patriot and welcomed with cordial reception. I saw the conditions of these people. They would say to me that for God's sake we should do some work for them. Their condition is pitiable. But I do not see anything for their improvement in the budget. As I have not carefully studied the Poonch Budget so I will not say anything more in the matter. As regards Chenani I want to put an illustration before the House. I went to Chenani in 1978. Afterwards I could not get opportunity to go there. The people had a desire that they might be provided with education. But an order was issued by the Ruler of that place that education should not be imparted to the people, because if they would be educated they would become mischievous. Sir, I will submit that I delivered a lecture there, and inspite of this that I had not uttered a single word against the Government in my speech, I had been externed from the place. I asked the Raja Sahib (may God increase his auspices, who is the protector of his subjects) that as a Ruler of the place he had to improve the condition of his subjects. But I submit Sir, that there is injustice everywhere. I want that there should be a sufficient change in the budgets of Chenani and Poonch. I have received an order today that the resolutions which have been submitted regarding the budget are returned for making some amendments and framing them in a right way and then should be submitted again. But I replied that I could not do likewise. I had expressed my object in them and I think that my object is quite evident from them. I cannot understand the neces-

sity of any further amendment to them. I have occasionally asked the Hon'ble Revenue Minister and the Hon'ble Home Minister that for God's sake they should at least hear our requests. Now whether you fulfill them or not it all depends upon your sweet will. At present I will divert the attention of the House towards Chenani (Budget). Sir, His Highness the Maharaja Bahadur and the Hon'ble Ministers pass by this way. The Raja Sahib of Chenani has himself made a great improvement in intellectual works but if he is enquired whether the people have also made some progress or has the Raja Sahib adopted any measures for the improvement of his subjects.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does any body want to speak.

SARDAR DHIAN SINGH: Sir, several years hence the income of Poonch was 15 lacs of rupees, but now it has gone down to nine lacs, ninety-five thousand, and one hundred of rupees. I am afraid lest it should fall again. Therefore such means may be adopted which may not cause further decrease in the income. No amount has been specified for the village roads. Only ten thousand of rupees have been allotted for the construction of roads. I think that it might have been provided for the road that leads to the garden. Great inconvenience is being felt in the absence of roads in villages in the Poonch Illaqa. Many difficulties are experienced in the transportation of produce from one place to another. Therefore a sum must be provided for the construction of village roads. There is six thousand of rupees under the head " Cooly Corps Fund " but this sum has not been spent every year. Had some money been spent out of this sum annually for the village roads all the roads would have been repaired up to this time. As regards Lachhman Pattan bridge every member says that it should be constructed earlier but the Government replies let the grant for the bridge be granted its construction will be started later on. But even today no mention has been made in the budget in this behalf. In view of the extension of education it is very necessary to increase the number of schools in the Illaqa. Special amount should be provided in the budget every year so that schools may be opened in those places where there are none. Subsequently I will submit that no provision is being made for the rural uplift. A provision should also be made in this behalf. It is a wonder that when taxes and land-revenue are realized from the subjects why attention is not then paid to the direction of rural uplift. With the exception of a garden named Ornamental Garden there is no other recreation park. It is a means of income but its system has also been changed which has proved harmful. The lands which have been leased out are losing their importance day by day. The contractors do not care whether the condition of lands is becoming

worse. Therefore the previous arrangements may be enforced again. The sum of Leper Asylum has been minimised in Poonch. This is the reason that on account of the inadequate treatment of the patients disease prevails in the Illaqa. Therefore more amount may be provided for this item as far as possible.

As regards the sanitary condition the building of high school in Poonch is very defective. Even the University Commission when it came here and examined the school found the building in an unsatisfactory condition. It is therefore necessary that a building should be constructed for the school. No amount or fund has been allotted for the building. If attention is not paid to the matter there will be a great danger of the collapse of the building, and in view of the danger for which Wazir Sahib can himself estimate the consequences of it some amount must be provided in the budget for its construction.

There are only four or five medical dispensaries in Poonch which are inadequate to meet the necessities of the population of four lakhs of people and at the time of malaria great trouble is confronted. Taking into consideration this new fever, *i. e.* Typhus fever, it is essential that attention should be paid towards the increment of medical relief. At the prevalence of any epidemic the reports are submitted very late. Due to the want of funds arrangements cannot be made and particularly the zamindars are made a prey to death. Several families are ruined. It is therefore necessary that travelling dispensaries should be appointed to go into the Illaqa and whenever epidemic breaks they may adopt sufficient preventive checks against the epidemics.

Now I have to say something about Military but it should not be deemed as reserve subject.

When Poonch is under the sway of the Kashmir Government and is ready to act upon the advices of this Government then there is no reason why at the time of urgency the Government who send its forces to Poonch demand their expenditure from the Government of Poonch. The relations between the Kashmir Government and the Imperial Government are not the same as they are between Kashmir Government and Poonch Government because both are belonging to royal family.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This has no concern with the Praja Sabha.

SARDAR DHIAN SINGH: When Poonch is considered as an Illaqa then there are no reasons to why the expenses of the Military forces which are spent there, should be realized from Poonch Government. In this way one and a half lac of rupees which has been realized so far, is entirely illegal. If it is refunded much can be done with it. With these words I conclude my speech.

LALA RAM LAL: Sir, I want to submit something as regards

Poonch Budget. First of all I will state that resolutions are moved, and promises are being made but inspite of this our suggestions are not accepted. My resolution in the last session was that Putri Pathshalas in Poonch should be given grant-in-aid by the Government. Wazir Sahib gave assurance in the matter and moved me to withdraw my resolution in the House. But the thing which has been fulfilled is that ten rupees are awarded to one school and the other remains without any aid. Previusly these schools were granted Rs. 50 as aid but aid has been stopped now. Inspite of our requests our resolutions are not cared for. Wazir Sahib says that these Pathshalas are not going on in accordance with the rules and it is a fact that big officers work as members and guides of the Pathshala. I submit that these Pathshalas are worthy to be sanctioned Rs. 2,400 as grant-in-aid, what should we do in this behalf. We knock the doors of the Government, we submit resolutions but no attention is paid to our demands. As regards Lachhman Pattan bridge we have been told that a sum of Rs. 3,700 has been allotted for the construction of the bridge. In reply to the question of Subedar Khan Mohammed Khan it had been told by Wazir Sahib that provision was made for the bridge. This word "was" has put us in a doubt, but the result of it is that we are kept in ignorance as to what has been done in this behalf. The loss which has occurred in the income of Customs Department is due to the fact that a bridge over Lachhman Pattan has not been built. We clamour that we are badly in need of the construction of the bridge; I will submit two or three facts as regards the budget. The present budget in the form it has been submitted is not worthy to be passed in the House. First of all I submit that our income is nearly ten lacs of rupees. The Conservator of Forests pays only few visits in the Illaqa for which he is paid Rs. 1,500 per mensem. Not only the Conservator but the Superintending Surgeon who does not go on tours in the Illaqa also gets Rs. 1,800 per annum; why this amount is paid to him. We are not able to bear the burden of it. The Secretary of the Wazir of Poonch is appointed on the salary of Rs. 4,500 per annum whereas the B. A., LL. B's. are appointed on Rs. 100 per mensem. There are two Sub-judges (in Poonch). One is Hindu and the other is Musalman. The former gets Rs. 170 per month and the latter is paid Rs. 225 per mensem Both are working for the last fifteen or twenty years, but the misfortune is that both are the inhabitants of Poonch. Had they been sent as lent officers from the State, they would certainly have attained big salaries. The Chief Judge gets ten thousand rupees a year and Wazir Sahib gets nearly fifteen thousand rupees including his pension contributions. We cannot tolerate this burden any more. There was a medical dispensary in the Illaqa which has also been closed. Do not the people of that place fall ill? Can it be called a balanced

budget ? I have to say one thing more that the income of Poonch is spent recklessly on certain works such as the installation of Telephone Exchange. A sum of Rs. 36,676 was paid by us whereas no need of telephone was felt in Poonch. Rather the Government was in need of it. The Illaqa of the State is 40 miles and ours is 10 miles only. If telephone had to be installed the expenditure would have been incurred in the same proportion. I had submitted a resolution in the last session that telephone should be installed between Sadhnuti and Bagh the distance of which is ninety miles. In reply to which it had been told that expenditure of one lac of rupees would be necessary for it and as the finances did not allow, the resolution could not be accepted. I had asked that no expenditre would incur on the wooden poles which would be got in the Illaqa and only ten or twelve thousand of rupees were to be spent on it. If we are grieved by any fact it is this that the public demands are treated ruthlessly but the affairs of the Government are done at once.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Has anybody to speak as regards Chenani Jagir ?

COLONEL ABDUR RAHMAN: Sir, I have to submit a few facts regarding Chenani Jagir. The income of this Illaqa is nearly fifty thousand of rupees, out of which Rs. 14,281 are spent on the Government Administration, Rs. 2,700 on Police, and Rs. 6,627 on hospitals etc., etc. The expenditure on Public Works Department is less here. Forced labour is taken without remuneration. The pays of Chaprasis are two to four rupees per mensem. Besides this, the salaries of petty officials are small. By the study of the budget it appears that from the total income of fifty thousand of rupees a sum of nineteen thousand is spent by Raja Sahib himself. No provision has been made for education which means that as regards roads, education and public works there will ever be a constant trouble arising out of them. Therefore it is necessary that provisions may be made in this behalf also.

NOTE.—Sardar Hari Singh stood up.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Will you speak on Poonch ?

SARDAR HARI SINGH: No, Sir, I will speak on Chenani. I submit that it has been proposed that rupees four hundred should be spent on the construction of a Police station, whereas there is already a place for it but which on account of its dilapidated condition it has to be repaired. At least two thousand rupees should be allotted for the construction of this station. If at present the funds do not allow and it could not be constructed in a year then it could be completed in two or four years under the supervision of the Public Works Department, but the construction should be strong. Besides this, the pays of the petty officials should be increased.

MAJOR GENERAL JANAK SINGH JI: You might lease the House that you have build for your own use.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The time for Poonch Budget is over.

MIAN AHMED YAR: There is a mistake in the Poonch Budget. First of all I would like to say that the sum of Rs. 4,76,200 has been shown as land-revenue and the amount of Rs. 8,39,400 as *muafis* has been given under the head "Income" and again this amount has been shown under the head "Expenditure" whereas it was not necessary to include the amount of Jagirs in the Income. They could give in the budget that such was the amount of Jagirs. The object thereby is that they may not show an unnecessary increase in the Income.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Please speak on Chenani.

MIAN AHMED YAR: Sir, in the budget of this Jagir, it has been shown on page six against the item "Wasalbaqi Nawis" that free ration is given to the employees in lieu of their services in three different ways. Alas! our Government would have acted upon it and at least our Ministers would also have served the State on free ration. (Laughter)

There is a chaprasi Mukhtar Chand by name who is paid by Thakur Gouri Chand. There is no principle that such useless items should be recorded for increasing the amount in the budget. There must be some principles in this behalf. One guard named Udham Chand is also given ration only. Wazir Sahib has written under the item of his post that he discharges the duties of forest without pay. This easy method has been adopted to show his importance. But the fact is that no responsible work is being allotted to them, it would be better if our Government take up the administration at the acceptance of 20 per cent. of the total income of the Illaqa, and attention be paid to my this request and the budget be framed in such a way that some amount may be saved for the work of public utility. When similar procedure is practised in regard to the administration of other estates of the State, why it should not be adopted here regarding the Poonch and Chenani Estates.

WAZIR FEROZ CHAND (Wazir Poonch): Sir, my honourable friend Khan Mohammad Khan has spoken something with regard to some scholarships in his speech. He should know that no definite amount is provided in the budget but real expenditure has to be shown there. He has also stated about salt. But I would say that the customs duty on salt is quite in accordance with the rules of the State. Two thousand of rupees have been allotted in the budget for the rural uplift and a sum of Rs. 75,000 *i. e.*, eight per cent. of the total income of the Illaqa has been allotted for education. Some seven or eight years ago the amount

for education was Rs. 15,000 only. Now it is increasing day by day. It is worth considering that Poonch Illaqa cannot stand in comparison with big States. High school will be extended when it will be transferred to Rawalakot. It is more convenient to transfer it to Poonch than to Palandri. In a period of ten or twelve years the amount for hospitals has been increased from twenty-one thousand to forty-five thousand rupees. There is a dispensary in every Tehsil and no other State can establish these dispensaries in every village. A complaint is made by Sardar Dhian Singh and Lala Ram Lal that no provision has been made for the construction of a bridge over Lachhman Pattan. We have allotted a sum for the purpose in the budget, and in the item of expenditure after giving "Shown" and "Drawn" the item of "Deposit" is kept separately. The money which has been kept in deposit will be spent when need be. In the revised budget, provision has been made for expenditure and special provision has been granted for this purpose. As regards the construction of roads, I will submit that special attention will be paid to the works which have direct concern with the works for public uplift. We have been making great progress in these works for the last two and a half years. A road extending forty-five miles has also been constructed. We have to spend on other works also. The Government has to spend a lot on agitation. It has also to spend on roads and other works of public welfare. However, it is expected that good roads will be constructed in every district. The road which leads from Lachhman Pattan and Palandri to Poonch has also been extended by five miles more from Rawalakot. We hope that within two or four years it will be constructed upto Bagh. A motor road from Kohala to Aliabad and on the other side from Dharamsala Tehsil to Bagh has already been completed. After two or three months another motor road will be constructed in Mandi also. Arrangements will be made to construct roads in all directions. As regards Putri Pathshalas it was promised that some amount would be granted to them. We gave them some amount but the Pathshala authorities replied that they should be given some more grant-in-aid. We sent a letter to the Manager of the Putri Pathshala stating therein that if they act in accordance with the rules, more money will be granted to them. But they have not sent any reply to it. They do not want to follow the rules which are necessary for sanctioning the grant-in-aid to any institution. I am afraid I cannot say anything unless I receive reply from the Manager in this behalf.

BABU RAM DASS (Wazir Chenani): It has been objected that no provision has been made for schools in Chenani Budget. As regards this I submit that all the schools which are in Chenani are run by the Government itself. As Education Cess is not realized

from the zamindars, therefore no amount has been allotted for schools in Chenani Budget. Moreover, no Road Cess was charged by the Government because the zamindars would construct roads by themselves therefore at the time of Settlement no cess is imposed for the maintenance of roads. Previously it was a custom in the State that the zamindars would construct roads themselves and the Road Cess was not realized from them.

Another objection which has been made by Sardar Sahib is that the amount of four hundred rupees provided in the budget for the construction of the Police station, is not sufficient. I will submit that the sum of rupees four hundred is not less because besides the amount, wood will be given free and the walls of the Police station will be constructed like that of the other buildings of Raja Sahib. Since the illaqa is not large, expenditure has to be made according to the income of the place.

It has also been objected against the supply of free rations and is asked as to what does " free rations in lieu of his services " mean. To this I will submit that this rule has been coming for more than fifty generations. There are other brothers of Raja Sahib and this has been the custom since the days gone by which is not more than seven hundred years that some amount is granted to them as maintenance allowance and after three generations this allowance is charged into allowance in lieu of service and the attainer of this allowance has to serve the Government and the Government in lieu of his services forbids to give him allowance (Rozgar) and awards revenue-free land to him. The expenses over revenue-free land come to about one hundred or two hundred rupees a year. Those who are awarded revenue-free land are generally the relatives of Raja Sahib.

A VOICE: What do you mean by Rozgar ?

BABU RAM DASS (Wazir Chenani): Land is given instead of Rozgar, and the revenue of the land is remitted. Ordinarily the lands are given to the relatives of Raja Sahib. The free ration which has been shown against the item in the budget means " Allowance in lieu of service ", *i. e.*, Rozgar. Revenue-free land is given in lieu of services and according to its marginal productives the income comes to the sum of forty, fifty, hundred or two hundred rupees. Wasalbaqi Nawis has been given allowance (Rozgar) for the performance of the work allotted to him.

As regards Gouri Chand I may submit that he is a Guzarakhar and is given five rupees only. In lieu of the services a servant is appointed on Rs. 5 per mensem. It has also been asked for increasing the pays of the employees who are getting below Rs. 5, but generally the retired persons are appointed on big offices who, besides pensions, are given pays also. In this respect the officers get considerable pays. For instance the Tehsildar gets Rs. 100

and the Deputy Inspector of Police is appointed on Rs. 40 per mensem.

MR. M. A. BEG: Does the Penal Code apply there also.

BABU RAM DASS (Wazir Chenani): Yes. (Laughter)

RAI BAHADUR LALA JAGAT PRASAD (Accountant General): Sir, if the speeches which have been made regarding the budget in the House or the budget itself be placed before a person who has no concern with the Government or the budget, he would come to this conclusion that both the members of the Praja Sabha and the Government have the same motive. In the speeches that have been made in the House it has been stated that increase and decrease should be made in such and such heads. To this I will submit that as far as it is possible Government have considered over all matters and then prepared the budget. As regards the question of increase or decrease the Hon'ble Finance Minister has given a good argument in his speech and has explained the reasons that under what grounds the increase and decrease has been made in the budget. I would say that Government takes care of every matter but I would also say this that everything is not expected from the Government. But, however, as far as it is possible every affair is taken into consideration. The issue of increase or decrease rises at its proper time. The members of the Praja Sabha know that whatever they want is fulfilled to a certain extent. Increment is made in every head after every year, and expenditure is increased as they desire to do so. Reference to all this has been given in the speech made by the Hon'ble Finance Minister and if the honourable members want to have other changes attempts will also be made as they desire to do in the matter. But in spite of this the honourable members of the Praja Sabha say that nothing has been done so far. To this I am reminded of an illustration of a circus. At a place a circus show was being demonstrated. One day a witty person came to see the circus. After seeing the show he was asked how the game was. He replied "It was nothing". Again he was taken to the circus and was asked as to how he enjoyed the show. He gave the same reply *i. e.*, "nothing good" and when he was asked to give his opinion he gave the same reply. At last it was enquired from him as to what a better show could be. The humourist said "I confess that the show is excellent but my object of saying "nothing", "nothing" is this that the artists may attempt to give us a better show of their play.

PANDIT JIA LAL KILAM: Who is the bafoon here ? You have not to give us a show here.

MR. M. A. BEG: If you may introduce some improvement in the budget, I would believe that you have given a splendid show. (Laughter)

RAI BAHADUR LALA JAGAT PRASAD (Accountant General): I meant to say that the object of Tamashawala and the jester was just the same as is ours to day ; and we try to give a better show to you. Keeping in view all the circumstances, I will discuss about some particular issues in my speech and will give reply to every objection respectively. Ordinarily great emphasis is placed on the matter that fat salaries should be reduced, pays of the ministers should be reduced to Rs. 500 per mensem or such and such department should be brought under retrenchment. But it is not taken into notice as to what difference will take place in effecting the reduction in these big pays. As regards this matter misconception and misunderstanding has arisen on certain points. At present I leave aside the issue because it has no connection with the matter under discussion.

KHAWAJA GHULAM MOHAMMED SADIQ: You drop it here because you have no reply to give in this behalf.

RAI BAHADUR LALA JAGAT PRASAD (Accountant General): No, there are such things which have no direct concern with the point at issue.

The foremost objection which has been raised against the budget is this that the word "Beneficient Department" has been excluded from the budget. But I submit that almost all Departments are Beneficient Departments and it is our effort that we all should do service to the subjects and in order to fulfill this object we have taken into consideration everything in the budget and have not been disregardful of the Beneficient Department. The Departments which have direct concern with the works of the public welfare are called the Beneficient Departments. Although the Police and the Revenue Department cannot be included in the Beneficient Departments yet they perform the works of public welfare to the same extent as those done by other departments which are included in the Beneficient Departments. I will give an illustration that the Fire Brigade Department is under the Police Department, therefore Police also performs the works of public good to a certain extent. Like the Public Works Department roads are also constructed by the Revenue Department. The Forest Department also contstruct the roads. There is no reason therefore as to why these departments may not be considered as a part of the works of public utility.

It was also questioned that the amount invested goes on increasing but one-tenth part of it cannot be spent and its profit has also not been shown. Its reply exists in the speech of the Hon'ble Finance Minister. If some amount is invested for deriving profit, it must not be supposed that all the amount is surplus amount so it should be spent generously. A member has stated that a sum of twelve lac of rupees have already been invested for

getting profits out of it. But the fact is that the Government had lent some money from the Dharmarth Department which was invested in the construction of the State Railway and the Dharmarth Department is now given 3½ per cent. interest on the above-mentioned amount. Income of sixty thousand rupees has been shown in the budget but along with this reduction of twelve lacs of rupees has been shown in the item of investment because this amount is still payable by the Government. The Government have to pay forty thousand of rupees as interest at the rate of 3½ per cent. and the interest will ever be paid unless the amount borrowed is not paid to the Department. Fifteen thousand of rupees have to be paid as capital expenditure. In this year's budget, we have set apart the loans of the Dharmarth Department from the item of "Investment". Great stress has been laid today on comparing this State with the other States and in this respect a comparison has been made with Travancore State and few other States. Only two or three illustrations have been adduced before the House. I admit that great expenditure is being incurred on certain items here but if comparison is to be made, it will appear that there are two such States where greater expenditure is incurred on certain items while there are more than fifty other States which cannot stand in comparison with our State. Comparisons are always odious. Take the case of education for an instance. The entire burden of the amount which is spent on education in the State falls on the coffers of the Government. The income from the school fees is very small. When comparison is required to be made then all the points should be considered beforehand. There is no gain in making comparison. There are so many items of expenditure in the budget which cannot be found in the budgets of other States. Those places which you are referring to are densely populated. Those are small places. Therefore expenditure is smaller there as compared with this State. Attention should therefore be paid to all the important things and these should be brought under discussion. There is no use in giving reference or submitting statistics before the House. As regards statistics an English proverb goes that "There are lies, damned lies and statistics". Before making any reference all points should be considered. The statistics should not only be studied. How a comparison can be made, without thinking over local conditions of the place because the local conditions of a certain place are different from that of some other place. I have already told you that Government are considering over many things and several demands which were made have been accepted in principle and in certain affairs practical action has also been taken. For instance, the scheme of the State Bank which is under consideration of the Government. In this connection I enquire

from you if there is any State or country where even without the help of the people of the place the State Banks have been opened by the Government itself. Even the Government banks are conducted by the capital of the people. You will not have such a bank under any constitution. You may yourself adduce example if you have any in this respect. The Reserve Bank which has been started under the new constitution of India is run by the capital of the people, and Government help only in keeping supervision and control over it. You wish that Government should spend money over every affair and you desire that it should start industries and open banks with its own capital. But it is impossible for the Government to take up all the works in its own hand. Success can only be made in this behalf if private enterprises may be made and then Government should be asked for giving help to them.

SHEIKH MOHAMMED AMIN: I ask as to whether any provision is made in the budget for giving such sort of help?

RAI BAHADUR LALA JAGAT PRASAD: You should submit any scheme; if it proves sound, we promise that money will be allotted in the budget in this behalf. You could not submit any scheme so far but a complaint is being made on the non-payment of money. Many schemes are under consideration of the Director of Industries. The sheep-breeding scheme has been suggested by him. It is not long since he came here . . . . . .

A VOICE: For whom this scheme has been framed? (Laughter)

RAI BAHADUR LALA JAGAT PRASAD: You are always overtaken by misunderstandings. You think that whatever the Government does, is done in the interest of a particular person. I have no reply to this misunderstanding.

As regards unemployment, I may say that there is no exact remedy for this. Government are considering and will consider over the schemes regarding industries. When these will be put into a practical shape, the people will have work for them.

As regards medical aid, it has been asked that Private Hakims and Vaids should be given facilities and regarding the money which has been allotted for this purpose in the budget by the Government you think that the amount is not sufficient, but to this I may submit that the money which has been granted in this behalf is given on experimental basis. If it will prove beneficial some more amount will be granted in this behalf.

In regard to the cottage industries it has been complained that very small amount has been allotted in the budget for their development and progress. But I will submit that there are such schemes which reflect upon the cottage industry as well. Just take the case of the sheep-breeding scheme for which provision has been made in the budget. All the villages of Kashmir will have a good

effect of this scheme and the financial condition of the people will be improved. If the Government achieves success in this scheme then you will yourself come to know as to how far the people have gained out of it. The work of wool-grading and wool-sorting will increase and the people who produce wool, will be given by far the greater price of the wool than was given previously.

MAJOR MIRZA ATTA MOHAMMED KHAN: Are not the sheep in the State of good breed for which these are imported from outside ? Are not sheep available here ?

RAI BAHADUR LALA JAGAT PRASAD: Those sheep are imported from outside which are not bred up here.

In several speeches mention of Shali Stores has been made and many questions have been asked about it, and great stress has been laid that on what basis of price the settlement has been made. This too has created a misunderstanding here. If you read page 49 of the very report which has been referred to in the House by Mr. Beg, you will know about the difference in the rates of Shali at different places. It is given therein:—

Handwara	...	... Re. 1.
Baramulla	...	... Re. 0-12-0.

MR. M. A. BEG: It is not on the basis of the report.

RAI BAHADUR LALA JAGAT PRASAD: You can come here and see. It is right.

MR. M. A. BEG: What about Handwara ?

RAI BAHADUR LALA JAGAT PRASAD: As regards Handwara it is Re. 1.

MR. M. A. BEG: You are of course displaying a good show.

RAI BAHADUR LALA JAGAT PRASAD: (Continuing his speech) Whatever has been stated in favour of the question of reduction in the land-revenue, I have a lot of things to say in this behalf but I will only speak on some particular and special points because I have very short time at my disposal.

It is the real surplus which has been shown in the budget, because the extra money which is given on interest . . . .

PANDIT LOK NATH SHARMA : Point of order, Sir. Is the honourable member entitled to carry on his speech after 4 o'clock ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Well, I permit him.

RAI BAHADUR LALA JAGAT PRASAD : (Continuing his speech) Answers have also been given to the questions asked in connection with the Railway and Dharmarth Department. I want to submit some facts of the Food Control Department. First is that (as it has been asked in a question) why large sum has been spent on it. But Pandit Amar Nath Kak has misunderstood the point. The loss incurred in the department is debited to the Reserve Fund. But there is no scope in the Reserve Fund this year. If you want to preserve and maintain this department, there can be two ways

of its safeguard. Firstly, to raise the price of Shali (but we think it will be detrimental for the poor), secondly, to impose general tax. All these things are under consideration of the Government.

MR. M. A. BEG: Thirdly, to effect reduction in the bloated salaries!

RAI BAHADUR LALA JAGAT PRASAD: First you see how much money you can save while making reduction in the fat salaries.

MIAN AHMED YAR: Try it.

RAI BAHADUR LALA JAGAT PRASAD: After this several special points have been talked about. A sum of Rs. 25,000 which had been given for the opening of a Lady Hospital at Mirpur, was given from the Jubilee Fund and there is no mention of it in the budget. It has been promised to pay the remaining sum of Rs. 25,000 and the Government is taking action in the matter. This amount is safe.

As regards roads, I will submit that mention has been made of three roads. The reason of delay in constructing one of these roads is that correspondence is going on with the Government of India in this behalf and it was known that they (Government of India) have not made provision for the construction of a part of the road in their budget. Therefore delay has been caused in constructing the road.

LALA RAM LAL: It is a promise made by the State Government that if they (Government of India) will not provide any amount for the road, this Government will construct the whole road.

RAI BAHADUR LALA JAGAT PRASAD: What will be the harm if they pay a sum for it. The work of survey has been started in case of the other road. Mirpur-Kotli Road is now a fair-weather road. The matter of making it a metalled road is under the consideration of the Government.

LALA RAM LAL: We had a question about bridge.

RAI BAHADUR LALA JAGAT PRASAD: Enquiry will be made in this behalf. After this I think that there is nothing particular to be explained by myself. (Cheers)

MR. M. A. BEG: You have entertained us with an excellent show.

The House adjourned till 7th October 1937.

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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

7TH DAY

(7th October 1937)

BUDGET DETAILED GROUP I

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



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JAMMU AND KASHMIR PRAJA SABHA.

Thursday, the $\frac{\textit{7th October 1937.}}{\textit{22nd Assuj 1994.}}$

The Praja Sabha met in the Praja Sabha Chambers in Rajgarh Palaces, at Eleven of the Clock.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the Chair.

QUESTIONS AND ANSWERS.

379. LALA HANS RAJ : (*a*) Are Government aware of the fact that four or five years ago the Municipal Committee Jammu took up the paving of the Dhakki Panjtirthi Jammu on the repeated applications of the Mohalladars and the requests of the passer-by in general but inspite of such a long time having passed and attention having been invited repeatedly the work has not yet been completed whereby the concerned public is still undergoing the same trouble ?

(*b*) Is it a fact that other Dhakkis were completely paved in the year their work was taken in hand ? If it be so, what is the reason thereof ? Will the Government please make it completely paved upto the Daoji temple and remove the public inconvenience thereby ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Dhakki Panjtirthi has been paved to the length that it is possible to pave it. The lower portion is not part of the Dhakki but bed of a Nallah and has not consequently been paved.

380. LALA HANS RAJ : (*a*) Will the Government please state as to what is the strength of establishment in the offices under the control of the Hon'ble Prime Minister and what is the number of the people of Jammu Province serving therein ?

(*b*) How many new or vacant posts have been filled during the last three years and how many of them were given to the people of Jammu Province, Publicity branch be specially mentioned in this connection ? If the deserving people of the Jammu Province have been ignored and the people of other province have been given proportionately more representation, the reason for this preference may be stated ? How long will this ignoring of the claims of the people of Jammu Province continue ?

Will the Government in view of their rights pay in future due regard to their satisfactory representation in services ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : ( ) Excluding the Gazetted Staff the entire strength of the Prime Minister's office is as follows :—

		Non-Gazetted establishment.	Menials.
General Branch	...	11	8
Political Branch	...	12	8
Publicity Branch	...	7	2
Board Office	...	4	2
Total	...	34	20

Out of these fourteen clerks and six menials belong to the Jammu Province.

There have been 7 vacancies in the office during the last three years out of which 3 have been given to the people of the Jammu Province.

Four vacancies occurred in the Publicity Branch recently and two of these were given to the people of the Jammu Province on the results of a competitive examination.

The rest of the question does not arise.

LALA HANS RAJ : The reply given is not clear. My question was whether how many vacancies have been filled by persons from Jammu Province during the last three years ?

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary) : The reply that has been given is very correct and explicit. During the last three years seven vacancies occurred out of which three were given to the Jammu people.

LALA HANS RAJ : Can their names be mentioned ?

RAI SAHIB PANDIT RAM CHAND KAK : How can their names be mentioned at this time.

LALA HANS RAJ : It has been said about certain officials that they belong to Jammu Province. How can it be ascertained that they are residents of Jammu ?

MIRZA MOHAMMED AFZAL BEG : His question is in order and it is very clear.

RAI SAHIB PANDIT RAM CHAND KAK : If he wants a reply on that point, I shall give a reply to that.

They live in Jammu for six months, and for six months in

Kashmir. Therfore it is not known whether they belong to Jammu or Kashmir.

LALA HANS RAJ : I do not want to stir strife between Jammu and Kashmir. What I want to know is what reforms have been made for Jammu people.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Your question is not for reform. You asked for information which has been supplied to you.

381. LALA HANS RAJ: Will the Hon'ble Home Minister please state how many Gazetted and non-Gazetted posts whether new or vacant were filled in 1993-94 in the departments under his control? On how many of them were Muslims and on how many of them were non-Muslims appointed? What representation among the non-Muslims was allowed to the people of Jammu Province? If the Hindus of Jammu Province are deplorably ignored then will the Government please, in view of the fact that educated and deserving youngmen of Jammu Province being available have not been taken in this Department, pay attention to this fact? Do not the youngmen of Jammu Province consider this act of the Government unjust and will the Government in future try to make up this present deficiency thereby winning their heart as against their present resentment?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister): Total No. of Gazetted and non-Gazetted posts whether new or vacant filled up from 1993-94 :—

Department.		Muslims.	Non-Muslims.	Hindus of Jammu.
Medical Department	...	16	27	11
Archaeology and Research	...	1	4	...
Library	...	...	1	...
Police	...	15	8	1
Public Works	...	19	15	3
Education	...	83	75	42
Total	...	134	130	57

The information required is given in the above statement which will show that out of 130 non-Muslims appointed to the various vacancies 57 Hindus of the Jammu Province excluding Sikhs and others *i. e.* about 44 per cent. were taken. The Hindus of the Jammu Province thus got their adequate share.

LALA HANS RAJ: Is it correct? It is not even half?

NOTE.—No reply was given.

382. WAZIR GANGA RAM: Are Government aware of the fact that in various newspapers there are published alarming news of the apprehension of loss of life and property of the minorities in the Illaqas of Kashmir, Poonch, District Mirpur, Kotli, Rajouri etc. whereby these people always remain terror-stricken and cannot pass their days with peace of mind?

If the reply is in the affirmative, will Government please state what steps Government has taken to protect them against this danger?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): Statements of this nature do sometimes appear in news-papers of a certain type, but Government have no reason to believe that they have any real basis.

383. Withdrawn.

384. WAZIR GANGA RAM: Is it a fact that fifteen employees of the Palace Division were dismissed? If the reply be in the affirmative, will Government please state whether Glancy Commission recommendations were born in mind at the time of the dismissal of these employees? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: No employees paid from the State exchequer were dismissed. Some work-charged mistries were reduced recently when there was no work for them, but they were debitable to the Privy Purse works which is a reserved subject.

385. WAZIR GANGA RAM: The newspaper "Milap' of 19th June 1937 has published this news on page 17 that "Hon'ble Prime Minister has issued orders for an enquiry being made into the riot that took place near Gurdwara as a result of seditious speeches made by Muslims against Maharaja Bahadur, Hindus and Cow".

If this news is based on facts, will Government please inform the House about the result of this inquiry?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): The member is referred to the Press Note No. 55, dated 14th June 1937, in which the result of the Police investigation in the matter has been embodied.

Press Note No. 55, dated Srinagar, the 14th June 1937.—A procession was taken out yesterday by a section of the Srinagar Muslims in protest against certain remarks about their religion which had appeared in a local Hindu newspaper. When the procession reached Amirakadal, speeches calculated to provoke the Hindu community were made and a Pandit boy is reported to have taken objection to some of the slogans used and to have thrown a stone at the procession using insulting language. Some of the processionists chased the boy and threw stones at the shop in which he is said to have taken refuge. It is reported also that

some of these stones struck the Sikh Gurdwara above the shop and the Sikh replied by throwing brick-bats on the mob. An adequate Police force having meanwhile arrived, the situation was soon brought under the control and the procession thereafter moved to its destination and dispersed without any further incident.

386. WAZIR GANGA RAM : Are Kashmir Government also prepared to constitute a commission so that the communal struggle between the Hindus and Muslims may be checked in future ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : The question of setting up of Communal Concord Committees in the State is under consideration of Government.

387. WAZIR GANGA RAM : Are Kashmir Government also prepared to adopt the same measures here as have been enforced by the Punjab High Court so that corruption may be put an end to in the State ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : The Government have already appointed a Commission to enquire into and suggest remedies for the eradication of corruption which is alleged to prevail in certain services. It is not possible to anticipate the recommendations of the commission, whose investigations are not yet complete. When the commission submits its report, Government will take suitable action on the suggestions made.

388. Rejected.

389. WAZIR GANGA RAM : Will Government place on the table of the House the list of all those industries which are being run on Government aid and shall also state what benefit have the people derived out of such industries ? What is their present position ? What expenses Government has borne in this behalf and what did it gain thereby ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Regarding the list of Government aided industries, Praja Sabha Sad is referred to the reply to Q. No. 381. The people have been benefited in the following directions:—

(*a*) Employment of skilled and unskilled labour and educated youngmen.

(*b*) Utilization of local raw material.

(*c*) Creation of industrial atmosphere.

If the people have benefited, the Government have been benefited.

390. WAZIR GANGA RAM: Are Government aware of the fact that there are no satisfactory arrangements for education in the hilly tracts of Jammu Province and in view of the present system of

education there is every apprehension of the people remaining uneducated for a good length of time?

Will Government please appoint a commission which would, after thoroughly considering this matter, submit before the Government schemes for providing educational facilities so that education may be popularised in these Illaqas?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Primary schools are given to hilly Illaqas according to the number of schools sanctioned annually for Jammu Province. If more funds be available, more schools will be proposed for these Illaqas.

There seems no necessity for the appointment of a commission, as there is an Education Standing Committee for this purpose.

391. WAZIR CANGA RAM: There is one Government Primary school in village Sarla in Tehsil Reasi. The inhabitants of the Illaqa submitted an application to the Education Department that this school should be transferred to village Kalara because, the village Sarla being situated on one corner of the Illaqa, the boys have to undergo comparatively more journey and as village Kalara is situated just on the road and is the centre of the Illaqa, therefore the students would have much convenience in going to this school?

Are Government please prepared to transfer the school to village Kalara in order to remove this complaint of the people? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: There is no Primary school at Sarla, but a school has been given to Kalara by transferring one from some other place (Bhag, Tehsil Reasi).

The question does not arise.

392. WAZIR GANGA RAM: Will Government please State which of the (Hon'ble) Ministers and which of the (Hon'ble) Judges of the High Court toured the State last year and how far did each of them go while on tour?

How much distance was travelled by cars and how much by other means?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): The Hon'ble Finance Minister, the Hon'ble Home Minister and the Hon'ble Revenue Minister toured the State during the last year. The Hon'ble Finance Minister travelled a distance of 270 miles out of which a journey of 11 miles was performed by pony and the rest by car. The Hon'ble Home Minister went to Kotli by Car travelling a distance of 185 miles. The Hon'ble Revenue Minister travelled a distance of 1,635 miles by Car and 100 miles by pony.

The Hon'ble Judges of the High Court inspected the Courts at Uri, Muzaffarabad, Kulgam and Anantnag and the journeys were performed in each case by cars.

MIRZA MOHAMMED AFZAL BEG: Which year does it relate to?

RAI SAHIB PANDIT RAM CHAND KAK: Last year. A specific date has been given in the question, and a definite reply has been given accordingly.

393. PIR HISSAM-UD-DIN SHAH : In reply to Q. D. No. 661 asked during the last session it was stated that the administration was taking steps for village uplift. Will Poonch Administration please state what steps have been taken in this direction and what has been the result?

WAZIR FEROZ CHAND (Wazir Poonch): Nurseries have been opened at Saddar and Rawalakote from which plants are being given to the zamindars on nominal prices. Other facilities have also been given to encourage the plantation of fruit trees. Panchayats have also been started and for this purpose a lump sum has been provided in the Budget.

Holding of Exhibition at Mendhar in Baisakh last has also gone a great way to stimulate handicrafts. Such Exhibitions are intended to be held every year. The Revenue and Co-operative Departments officials are carrying on propaganda of better living in the villages by getting pits dug for keeping manures etc., pamphlets on the subject are also distributed among the zamindars.

394. PEER HISSAM-UD-DIN SHAH: During the last session of the Praja Sabha in reply to Q. D. No. 640 regarding the rate of compensation of trees in Nautor areas it was stated that in the State on such trees the compensation is realized on standard rates and it is to enforce a uniform practice that this rate is charged. Does the Poonch Administration know that keeping in view the local conditions and the interests of the people this argument is not based on reasonableness?

(*b*) Is the Poonch Administration prepared to fix the zamindari rate instead of the standard rate for purposes of evaluating compensation?

WAZIR FEROZ CHAND: (*a*) The rate in question was fixed in accordance with the Rules in the State and that too on the demand of the public. In introducing this rate the local conditions of the Illaqa were duly considered. There is therefore nothing unreasonable about it.

(*b*) In view of the above the question does not arise.

PEER HISSAM-UD-DIN SHAH: Who demanded it?

WAZIR FEROZ CHAND: It was a demand of the several members of this Sabha.

PEER HISSAM-UD-DIN SHAH: Well, their names please be mentioned?

WAZIR FEROZ CHAND: Mr. Fateh Mohammed Khan, Subedar Khan Mohammhd Khan etc., etc.

PEER HISSAM-UD-DIN SHAH: Did they demand for the increase in the rates?

WAZIR FEROZ CHAND: The demand was that the rates be fixed in accordance with the rates in Kashmir. It was done accordingly.

395. PEER HISSAM-UD-DIN SHAH: (*a*) During the last session of the Praja Sabha in reply to Q. D. No. 637 regarding the removal of restriction of three miles boundary in connection with the concessions to be granted with regard to the forest produce it was stated that this three mile restriction is based on the restriction imposed in the State. And in reply to the supplementary question it was stated that in considering this matter local conditions will be duly taken into account. Will Poonch Administration please state if any proposal has been submitted to Shri Raja Sahib Bahadur.

(*b*) If any proposal has been submitted to Shri Raja Sahib in this connection then the House may please be informed of the result thereof.

WAZIR FEROZ CHAND: (*a*) No such proposal was necessary.

(*b*) Does not arise.

PEER HISSAM-UD-DIN SHAH: It was promised, even in the last session, that it will be considered.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): It was needless to consider.

396. PEER HISSAM-UD-DIN SHAH: During the last session of the Praja Sabha in reply to my question asking whether in matters regarding Poonch the replies are given after they have received assent of Shri Raja Sahib it was stated that Wazir Poonch replies to these questions on behalf of the Poonch Administration. Will Poonch Administration please state whether these replies are given after they have been approved by Shri Raja Sahib?

WAZIR FEROZ CHAND: The approval of the Raja Sahib is not necessary in such matters.

397. PEER HISSAM-UD-DIN SHAH: During the last session of the Praja Sabha in reply to Q. D. No. 666 regarding the grant of land for Imam Bara to the Shias it was stated that the Chief Revenue Officer Poonch has been ordered to extend the present Imam Bara. Will Poonch Administration please state what has the Chief Revenue Officer done to extend the inside of the Imam Bara?

(*b*) If the answer be that so far nothing has been done, then will Poonch Administration please state what are the reasons therefor?

WAZIR FEROZ CHAND: Action is being taken to expedite the matter.

398. PEER HISSAM-UD-DIN SHAH: During the last session

of the Praja Sabha in reply to Q. D. No. 658 regarding the memorial of the Anjuman of Gujars and Jats it was stated that their submissions are receiving consideration. Will Poonch Administration please state what orders have been passed on those submissions ? If the matter is still under consideration, then, how long will it remain so ?

WAZIR FEROZ CHAND : The matter is receiving consideration and will shortly be decided.

399. PEER HISSAM-UD-DIN SHAH : (*a*) Is it a fact that the post of Patwaris is pensionable under the Jammu and Kashmir Government ?

(*b*) If the answer to this be in the affirmative, then, why is this post non-pensionable in Poonch ?

(*c*) Is Poonch Administration prepared to make the post of Patwaris pensionable ? If not, why ?

WAZIR FEROZ CHAND : (*a*) Yes.

(*b*) and (*c*) The matter is under consideration.

400. PEER HISSAM-UD-DIN SHAH : (*a*) Is Government aware of the fact that the road from Chanjal to Dharkuti is in wretched condition ?

(*b*) That Rs. 300 were sanctioned for this purpose ? Has the Government taken any steps in building this road or is this matter still receiving consideration ?

WAZIR FEROZ CHAND : Necessary action will be taken on receipt of a report called for from the Chief Revenue Officer.

401. PEER HISSAM-UD-DIN SHAH : Is Poonch Administration, keeping in view the great hardship of the people, prepared to arrange for the supply of water through the water tap at an early date ? If not, the reasons therefor may please be stated ?

WAZIR FEROZ CHAND : The question will be considered when funds permit. No hardship is felt by the people for want of pipe water as there are water springs and wells that supply enough good water.

403. PEER HISSAM-UD-DIN SHAH: Is Poonch Administration prepared to make the Kuhl Sarar at Glopur Hagot, and Kuhl Batal and Chandak Dhagla pucca as all the Abi land of these villages is irrigated by these Kuhls and the zamindars are put to a great loss as these Kuhls are not made pucca ?

WAZIR FEROZ CHAND: The Kuhls have been running since the last Settlement and have throughout been katcha. According to rules laid down at the time of Settlement these Kuhls have to be repaired and put in order by the zamindars concerned themselves. The Administration however grants monetary help only so far as employment of skilled labour for this purpose is concerned.

404. LALA SHIV NATH NANDA: Is it a fact that our Government has excluded the Khatris and Mahajans from the list of agri-

culturists on the mere consideration that agriculture is not their ancestral occupation?

Is it a fact that the Khatris of District Reasi who own lacs of ghamaons of agricultural land are paying thousands of rupees as land-revenue to the Government treasury?

If the answer be in the affirmative, will the Government please include for the time being the Khatris of Reasi in the list of agriculturists?

If the answer be in the negative, then will it be stated why those people are being deprived of their legitimate rights?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister: (*a*) (1) Yes, because majority of the members of these classes were not found to depend mainly on agriculture.

(2) Figures could not be available within the time at disposal. Collection of such figures requires sufficient time.

(*b*) Those who feel aggrieved can seek redress under Section 6 of the Land Alienation Regulation.

LALA SHIV NATH NANDA: Will it be stated as to who has made these appointments?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (Governor Kashmir): The local officers.

LALA SHIV NATH NANDA: Who are the local officers?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: These are the local officers: first the Tehsildar, then the Wazir Wazarat and then the Governor.

LALA SHIV NATH NANDA: Has the Hon'ble Revenue Minister received that report?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: You have not given any notice for it. You will be informed if you give notice for it.

405. LALA SHIV NATH NANDA: Is it a fact that I have already made clear to the Government through questions that there being no common market at Srinagar the visitors have often to face difficulties in buying articles and that a common market at Amirakadal may be started?

Is it a fact that in the big cities of India common markets are being started which will bring about the prosperity of the people?

Is it a fact that the Hon'ble Revenue Minister stated in the last session in reply to my question No. 21 that the scheme of common market was under consideration and the matter would receive proper consideration the next year?

If the answer be in the affirmative, then will the Hon'ble Revenue Minister please state whether the decision has been arrived at regarding the common market and when will the order to start it be issued.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf

of the Hon'ble Revenue Minister): *1st part.*—Not entirely clear.

2nd part.—Yes. In some cases the markets are common markets, and in other cases there are separate markets for different classes of commodities.

3rd part.—Yes.

4th part.—The site that was in view for the market had already been allotted as a Lorry Stand. The Revenue Minister has made it clear to those who consulted him that he will support any practical scheme for a market on methods which are approved of by a reasonable proportion of the traders concerned.

406. LALA SHIV NATH NANDA: Will the Hon'ble Finance Minister please state whether the whole of the amount (Rs. 6,340) provided in the budget of 1993-94 for the Visitors Bureau for propaganda work has been spent and what means were adopted for the propaganda work and with what result?

The details of expenditure may be supplied?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: A sum of Rs. 2,500 only was sanctioned in the Budget for 1993-94 for propaganda and not Rs. 6,340 out of which the sum of Rs. 2,490-2-0 has been already spent.

The propaganda was launched by issuing handbills, posters and pamphlets.

The details of expenditure are as given below:—

		Rs.	a.	p.
(*a*) Freight charges on posters from Bombay to Srinagar				
(*b*) Cost of blocks	...	79	2	0
(*c*) Printing of Exhibition Folder	...	476	1	0
(*d*) Bill of Times of India for printing of posters	...	130	0	0
(*e*) Railway freight on posters from Bombay to Srinagar	...	785	10	0
(*f*) Printing charges for Amarnath Folder	...	60	11	0
(*g*) Carriage and Railway freight on posters sent to Bombay	...	228	15	0
(*h*) Cost of films and freight charges on proofs	..	17	4	0
(*i*) Printing of Nagin Pamphlet	...	21	12	0
(*j*) Cost of printing and drawing material	...	95	0	0
(*k*) Cost of one folding Camera for Artist	..	142	9	0
(*l*) Customs duty paid on the posters	...	95	0	0
	...	358	2	0
Total	...	2,490	2	0

The number of visitors to Kashmir has increased to a great extent. It stood at 21,203 up to 5th September 1937 against 19,742

on the same date of the last year.

A further sum of Rs. 1,272-12-0 is still to be paid to the Government of India Printing Press Nasik for printing of one lac twenty-five thousand picture postcards of Kashmir and Rs. 392-13-0 to the Times of India Press Bombay on account of printing of posters. The total amount of Rs. 1,665-9-0 will be found by reappropriation of funds.

407. LALA SHIV NATH NANDA : Is it a fact that the figures of receipts from the Income Tax every year shown in the budget are generally inconstant and that the receipts from the Income Tax are decreasing day by day ?

Is it a fact that the Government in reply to my question stated that the receipts from Income Tax are not decreasing but are increasing ? In the budget of 1993-94 the receipts from this head are shown as Rs. 2,80,000 ? If the answer be in affirmative will the Hon'ble Finance Minister please state whether there was any decrease in this year's receipts ? If so, what are the reasons therefor ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The income of the Department is bound to fluctuate from year to year, as it depends upon the business done by the assessees and profits earned by them which also vary.

The receipts are not decreasing. The inference drawn by the Praja Sabha Sad in this connection from the receipt budget figures of the Department for the last three years is not correct.

The receipts of Income Tax were never estimated at Rs. 2,80,000. In reply to B. Q. No. 3 of the 5th Session of the Praja Sabha, it was however, stated that the impositions upto end of Bhadon 1993 amounted to Rs. 2,80,000.

The income for 1992-93 was estimated at Rs. 3,00,000 for the reason that a large number of cases was left in arrears at the close of the year 1991-92. Almost all the arrear cases were decided during the year 1992-93. The income that accrued from arrear cases could not be expected to accrue in the following year. This accounts for the decrease shown in the receipt budget estimates for the year 1993-94.

408. LALA SHIV NATH NANDA : (*a*) Is it a fact that in reply to my question No. 190, Q. D. No. 103 it was stated "the Khatris are as welcome to Government service as other communities are" ?

(*b*) Is it a fact that on my enquiring as to how many Khatris were taken in service during the last six years it was stated that the Government had no such record whereby it may be found as to how many Khatris have been taken in service ?

(*c*) Is it a fact that when a person is taken in service the name of his community and race is entered in one of the columns of

the service book? It the answer be in the affirmative, will the Government please state how many Khatris have been appointed since 1988 and on what posts? A detailed statement may please be placed on the table of the House.

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) What the Government said was that the doors of Government service were open to Khatris as to members of other communities.

(*b*) Yes.

(*c*) Every new entrant into Government service is required to give the name of the community to which he belongs, but he is not bound to mention his sub-caste nor do people often do so. As for rest of the question the member is referred to part (*b*) of Q. D. No. 116 which was replied to in the last session in which he was informed that statistics of Government employees are not compiled by sub-castes and that it is not therefore possible to give the information asked for.

LALA SHIV NATH NANDA: (*a*) In reply to my question No. 190, in the last Srinagar Sesson I was told that the Khatris are not declared agriculturists because agriculture is not their hereditary occupation. It was also observed that the Government services are as well open to them as they are to other communities?

(*b*) If the answer be in the affirmative, will Government please state how many Khatris have been taken into service from the year 1987 upto now?

RAI SAHIB PANDIT RAM CHAND KAK: (*a*) Yes.

(*b*) Statistics are not compiled by castes and it is not possible to give the information asked for.

409. LALA SHIV NATH NANDA: (*a*) Is it a fact that the number of educated unemployed youngmen is increasing day by day in the State?

(*b*) Is it a fact that I asked a question in the last session of the Praja Sabha wherein I had inquired whether our Government will grant lands to the educated unemployed youngmen just as the Punjab Government has encouraged the educated unemployed youngmen by granting them Government lands for cultivation?

(*c*) (*i*) Is it also a fact that the Hon'ble Revenue Minister in reply to that question stated that a scheme to grant land to such youngmen is under consideration?

(*ii*) If the answer be in the affirmative, will the Government please state whether that scheme has been prepared?

(*iii*) When will this scheme be given a practical shape?

(*iv*) If any such scheme has been prepared it may be placed on the table of the House?

(*v*) If the answer be in the negative, it may please be stated what measures our Government have adopted to provide employ-

ment to the educated unemployed youngmen whereby the poor youngmen may be able to maintain themselves?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) Government have no accurate statistics in the matter.

(*b*) Yes.

(*c*) (*i*) What the Hon'ble Revenue Minister said was that the scheme was under his consideration but that it was very difficult to find in the State a suitable area of land of sufficient size, which could be given to these youngmen.

(*ii*) The scheme is under preparation.

(*iii*) and (*iv*) Government are not in a position to say anything definite at this stage, on the subject.

(*v*) Government appointed an Unemployment Commission to enquire into the problem. The report of commission has recently been received and its recommendations will be shortly considered by Government.

410. LALA SHIV NATH NANDA: (*a*) Is it a fact that since the inauguration of the Praja Sabha different Committees except Standing Committees were appointed to submit report on different matters in every session of the Praja Sabha?

(*b*) If the answer be in the affirmative, will the Government place on the table of the House a detailed statement whereby it may be found which of the Committees were elected, in which session, who were the members of such Committees, who are the Chairmen of these Committees, where and how many meetings were held by such Committees? What expenses were incurred in connection with their T. A.?

(*c*) What benefit accrued to the people through these Committees?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) Yes

(*b*) A statement giving the information asked for has been placed on the table of the Praja Sabha.

(*c*) Select Committees are generally appointed to scrutinize bills in detail. This scrutiny would be difficult in the full session, and would take a very long time if attempted. A small Committee of selected members of the House is the best instrument for carrying out such a scrutiny on behalf of the Praja Sabha. For these reasons the labours of these Committees are of great assistance when the Praja Sabha takes the measures into consideration.

Serial No.	Name of Committee.	Personnel of the Committee.	No. and place of meeting held.	T. A. expenses incurred.		
				Rs.	A.	P.
1	Panchayat Select Committee.	Hon'ble Revenue Minister, Chairman. 1. Chaudhri Chattar Singh. 2. Raja Murrawat Khan. 3. Mirza Afzal Beg. 4. Pandit Lok Nath Sharma. 5. Maulvi Mohammed Abdulla. 6. Pandit Amar Nath Kak.	One, Jammu.	476	12	0
2	Select Committee on Industrial Bill.	Hon'ble Revenue Minister, Chairman. 1. Lala Amar Nath Kohli. 2. Mian Ahmed Yar. 3. Lala Shiv Nath Nanda. 4. Mr. A. N. Kak. 5. Sheikh Abdul Hamid.	Five, Srinagar.	825	4	0
3	Ad Hoc Committee on Pre-emption Bill.	Hon'ble Revenue Minister, Chairman. 1. Major General Janak Singhji. 2. Sheikh Abdul Hamid. 3. Colonel Sansar Singh. 4. Pandit Ram Chandra Dobey. 5. Sardar Hari Singh. 6. Mian Ahmed Yar. 7. Maulvi Mohammed Abdulla.	Two, Jammu.	2,535	13	0

Serial No.	Name of Committee.	Personnel of the Committee.	No. and place of meetings held.	T. A. expenses incurred.		
				Rs.	A.	P.
		8. M. Afzal Beg. 9. Pandit Amar Nath Kak. 10. Khawaja Saif Shah.				
4	Select Committee on Kar-i-Sarkar Bill.	Hon'ble Revenue Minister, Chairman. Pandit Ram Nath Sharma, Secretary. 1. Jagat Ram Aryan. 2. Sardar Hari Singh. 3. Maulvi Mohammed Abdulla. 4. Colonel Abdur Rahman. 5. Munshi Asad Ullah. 6. Pandit Amar Nath Kak.	One, Srinagar.	895	6	0
5	Select Committee Food Control Amendment Bill.	Hon'ble Revenue Minister, President. 1. Pandit Ram Nath Sharma, Secretary. 2. Khan Bahadur Thakur Aga Syed Hussain. 3. Pandit Jia Lal Kilam. 4. Wazir Ganga Ram. 5. Sardar Hari Singh. 6. Khawaja Ghulam Mohi-ud-Din. 7. Khawaja Sanaullah Shah.	One, Srinagar.	296	14	0
6	Select Committee Brick Kiln Bill.	Hon'ble Revenue Minister, President. 1. Pandit Ram Nath Sharma, Secretary.	One, Srinagar.	340	8	0

				Rs.	A.	P.
		2. Khawaja Akbar Dar. 3. Khawaja Saif-ud-Din Shah. 4. Chaudhri Abdulla, Zaildar. 5. Sardar Kanhaya Singh. 6. Mirza M. A. Beg. 7. Pandit Govind Ram Kabu.				
7	Kahcharai Select Committee.	Hon'ble Revenue Minister, President. 1. Pandit Ram Chandra Dobey. 2. Pandit Amar Nath Kak. 3. Mirza M. A. Beg. 4. Sardar Budh Singh. 5. Chaudhri Abdul Karim. 6. Khan Bahadur Thakur Aga Syed Hussain.	One, Srinagar.	721	14	0
8	Select Committee on Identification of Prisoner's Bill.	Hon'ble Home Minister, President. 1. Wazir Ganga Ram. 2. Khawaja Sanaullah Shah. 3. Khawaja Safdar Ali. 4. Colonel Sansar Singh. 5. Pandit Jia Lal Kilam. 6. Khawaja Abdur Rahman Bande.	One, Jammu.	674	2	0
9	Kahcharai Ad Hoc Committee.	Hon'ble Revenue Minister, President. 1. Governor Kashmir. 2. Babu Ram Dass. 3. Pandit Ram Chandra Dobey. 4. Mian Ahmed Yar. 5. Mirza M. A. Beg. 6. Major Ata Mohammed.	One, Srinagar.	662	6	0

SRI PRATAP COLLEGE LIBRARY SRINAGAR.

Serial No.	Name of Committee.	Personnel of the Committee.	No. and place of meetings held.	T. A. expenses incurred.		
				Rs.	A.	P.
10	Municipal Bill Select Committee.	Hon'ble Finance Minister, Chairman. 1. Sheikh Mohammed Amin. 2. Mr. G. M. Sadiq. 3. Lala Shiv Nath Nanda. 4. Pandit Amar Nath Kak. 5. Sardar Mal Singh. 6. Sheikh Abdul Hamid.	One, Srinagar.	931	0	0
11	Ad Hoc Committee on Land Regulation Amendment Bill.	Hon'ble Revenue Minister, Chairman. 1. Pandit Lok Nath Sharma. 2. Mian Ahmed Yar. 3. Pandit Amar Nath Kak. 4. Rai Bahadur Pandit Anant Ram.	One, Srinagar.	235	10	0

411. LALA SHIV NATH NANDA : Is it a fact that the Government is annually spending thousands of rupees on the Technical Schools in the State ? Is it a fact that in spite of so much heavy expenditure incurred in this behalf, instructions are imparted in these schools in ordinary professions of carpentry, masonry, smithy and dyeing ?

Is it also a fact that the Government spent Rs. 4,44,626 in this behalf during the last five years (***vide*** question No. 208, Q. D. No. 107) ? If the answer be in the affirmative, will the Government please state as to what is the use of such schools under such circumstances ? Will this heavy expenditure in consultation with the new Director of Industries be spent in such a manner whereby the sons of the subjects of the State may derive benefit in the real sense ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Yes. From the reports received it appears that the Technical Schools have been doing good work. The new Director of Industries is already considering the possibility of making the schools more useful.

412. LALA SHIV NATH NANDA : Is it a fact that Electric Department realises Rs. 2 per lamp in advance from every consumer and that such an advance has accumulated to about 1¼ lacs in the Government treasury and no interest is paid on that amount ?

Is it a fact that the owners of the houses are responsible under rules for the payment of the fee and the Government charges -/2/- per rupee per day from such persons who do not pay the fee by the 15th of every month ; moreover, the Electric Department is authorised to disconnect the service line and in default of payment the dues can be recovered in the manner in which arrears of land-revenue are realised ?

If the answer be in the affirmative, will the Hon'ble Home Minister please state as to what is the use of locking up of thousands of rupees of the public without payment of any interest in these days of economic depression ?

Will this practice of advance be stopped ?

If the answer be in the negative, the reasons thereof may be stated?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Yes. The advance deposit upto date is about Rs. 20,000 and not 1¼ lacs. No interest is paid.

An extra charge of two annas per rupee is made for late payments.

Already replied as above.

No.

Such deposits are realised by all Electric Supply Concerns in India to safeguard the interest of the Department.

LALA SHIV NATH NANDA : Can you name any committee in the Punjab where this system is in vogue ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : I do not know at this time.

LALA SHIV NATH NANDA : Will you be able to tell after enquiry ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Yes, Sir.

413. LALA SHIV NATH NANDA: (*a*) Is it a fact that the Jamadars and peons under the Government have to retire from service and receive Rs. 4 as their pension on retirement ?

(*b*) Is it a fact that the pension which the other officials of the State receive is under a rule about half the average pay ?

(*c*) If the answer be in the affirmative, will Government please state why these poor employees who mostly depend after their retirement on this pension are meted out a differential treatment ?

(*d*) Will the Government please treat them as other officials of the State are being treated ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) The rules relating to grant of pensions to menials and others in inferior service in the State, the Government understand, are the same as those in force in British India. The differentiation in treatment is probably due to the difference in the conditions of living of the superior and inferior servants.

(*d*) Government can hold out no hopes in the direction suggested, but will examine the suggestion.

LALA SHIV NATH NANDA : When it is expected to be considered, after two, four or ten years ?

RAI SAHIB PANDIT RAM CHAND KAK : You have asked the question just now. It will be seen. It will be considered.

MIRZA MOHAMMED AFZAL BEG : When there is difference of living of the officials in the lower cadre and the menials, why then a proper proportion is not fixed in their salaries.....

RAI SAHIB PANDIT RAM CHAND KAK : There is a great difference between a clerk drawing Rs. 20 and a Jamadar drawing Rs. 18 because a Jamadar is drawn from a class of people whose standard of living is different from the standard of living which obtains amongst the class of people from which clerks are drawn. This is one reason. Then as a rule there are classes.

MIRZA MOHAMMED AFZAL BEG : The question I asked is that when you give half of the pay as pension to higher officials why it is not given to the lower officials ?

RAI SAHIB PANDIT RAM CHAND KAK : We give to the lower officials as well.

WAZIR GANGA RAM : You have said that their standard of living is very low. Suppose they raise their standard of living, will you allow them half pay pension ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mekerji Kt.): This question is a mere supposition.

414. PANDIT AMAR NATH KAK: Will the Hon'ble Judicial Minister be pleased to state:—(*a*) What was the number of criminal appeals and revisions against convictions which were filed in the High Court from 1st Katik 1993 to 1st Assuj 1994, and which were pending in the High Court on 1st Katik 1993 (number in each month separately may also be given)?

(*b*) What was the number of appeals and revisions out of those referred to in part (*a*) in which conviction was upheld (number in each month separately may also be given?

(*c*) What was the number of appeals and revisions against acquittals pending on 1st Katik 1993 and filed from 1st Katik 1993 to 1st Assuj 1994, in the High Court (number in each month separately may also be given)?

(*d*) What was the number of appeals out of those referred to in part (*c*) in which conviction was set aside (number in each month separately may also be given)?

(*e*) What was the number of civil appeals and revisions pending on 1st Katik 1993 and filed from 1st Katik 1993 to 1st Assuj 1994 in the High Court of Judicature, Jammu and Kashmir State (number in each month separately may also be given)?

(*f*) What was the number of appeals and revisions out of those referred to in part (*e*) which were still pending on 1st Assuj 1994?

(*g*) What was the number of appeals and revisions referred to in part (*e*) which were decided and in which the decision of the lower court (if it was a first appeal) or the lower appellate court (if it was a second appeal) was upheld or substantially upheld (number in each month separately may also be given)?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): The statement below will give the required information.

Statement of Criminal Appeals and Revisions.

Name of months.		(a)			(b)		(c)				(d)	
		Instituted from 1st Katik 1993 to 1st Assuj 1994.		*Pending on 1st Katik 1993.*	*In which conviction was upheld.*		APPEALS AND REVISIONS AGAINST ACQUITTAL.				Appeals in which acquittal was set aside.	
							Pending on 1st Katik 1993.		*Instituted from 1st Katik 1993 to 1st Assuj 1994.*			
		Appeals.	Revisions.	Appeals.	Revisions.	Appeals.	Revisions.	Appeals.	Revisions.	Appeals.	Revisions.	
Katik	1993	...	16	5	25	16	16	5	...	...	...	...
Maghar	,,	...	39	13	...	...	34	12	...	...	...	...
Poh	,,	...	27	16	...	...	25	9	...	...	3	...
Magh	,,	...	11	8	...	...	7	7	...	...	1	...
Phagan	,,	...	25	13	...	...	20	11	...	...	1	...
Chet	,,	...	31	13	...	...	24	8	...	...	1	...
Baisakh	1994	...	15	8	...	...	15	4	...	...	1	...
Jeth	,,	...	7	13	...	...	6	13	...	...	1	...
Har	,,	...	12	10	...	...	12	8	...	...	3	...
Sawan	,,	...	13	5	...	...	11	3	...	...	...	...
Bhadon	,,	...	13	13	...	...	...	1	...	...	2	...
	Total	...	209	117	25	16	170	81	...	...	13	...

Statement of Civil Appeals and Revisions.

Name of months.			(e) *Pending on 1st Katik 1993.*			(f) *Instituted during the period from 1st Katik 1993 to 1st Assuj 1994.*			(g) *Pending on 1st Assuj 1994.*			(h) *No. of Appeals and Revisions in which decisions of lower courts were upheld etc.*		
			Appeals.	Revisions.	Revisions A. R. R.	Appeals.	Revisions.	Revisions A. R. R.	Appeals.	Revisions.	Revisions A. R. R.	Appeals.	Revisions.	Revisions A. R. R.
Katik	1993	...	122	49	52	16	11	13	113	56	98	3	3	...
Maghar	,,	...	...	...	...	42	19	22	...	...	...	16	6	5
Poh	,,	...	...	...	...	11	12	12	...	...	...	28	10	17
Magh	,,	...	...	...	...	21	11	19	...	...	...	43	15	22
Phagan	,,	...	...	...	...	21	9	15	...	...	...	17	5	13
Chet	,,	...	...	...	...	20	16	14	...	...	...	20	3	10
Baisakh	1994	...	...	...	...	19	7	13	...	...	...	13	6	10
Jeth	,,	...	...	...	...	14	16	13	...	...	...	5	10	3
Har	,,	...	...	...	...	16	21	31	...	...	...	4	15	4
Sawan	,,	...	...	...	...	8	6	26	...	...	...	10	6	4
Bhadon	,,	...	...	...	...	18	11	11	...	...	...	10	9	8
	Total	...	122	49	52	206	139	189	113	56	98	169	88	96

415. PANDIT AMAR NATH KAK: Will the Hon'ble Judicial Minister be pleased to state:—(*a*) Whether any appeal is permissible against decision of the High Court of Judicature, Jammu and Kashmir, even though it be a decision on a first appeal and however high the value of the suit may be (say a lac of rupees)?

(*b*) Whether in British India, where the High Court of Judicatures were established long before the establishment of our High Court, appeals to King in Privy Council are permissible in specified cases?

(*c*) Will the Government consider the advisability of amending the laws in force in the State, in order to make provision for appeals to His Highness against the decisions of the High Court on the same lines on which appeals are permissible to Privy Council in British India?

PANDIT RAM NATH SHARMA (On behalf of theHon'ble Judicial Minister): (*a*) No.

(*b*) No.

(*c*) The matter was considered carefully, but the idea had to be dropped owing to the practical difficulty of having a Board of Judicial Committee.

416. PANDIT AMAR NATH KAK: Will the Hon'ble Home Minister be pleased to state whether even now when the financial conditions are improving, the pays of teachers have been raised as recommended by the Glancy Commission? If not, will the Government take steps to raise their pays in the financial year commencing from Katik 1994.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The question is under consideration.

PANDIT AMAR NATH KAK: I want to bring to the notice of the Hon'ble Home Minister that this question has been asked six times in the Assembly and every time the reply has been the same that the matter is under consideration. I now want to ask whether this question has been put in the House six times?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: I do not know that.

PANDIT AMAR NATH KAK: I think the reply is from the Government and not from the person who is replying it. I want to bring to your notice, Sir.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): I am not sitting here as a school teacher. You have to put questions, and if you find that the reply is not satisfactory, you should give a notice of a fresh question.

PANDIT AMAR NATH KAK: It is the Government who is replying me and not the individual. The Government should not say that they do not know.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.):

In supplementary questions you can put only such questions which arise from the original question and answer. The answer to your question is "It is under consideration". I am discussing it not because it is my duty to discuss, but because sometimes it is necessary to give satisfaction to the party putting the question. Now the answer given to your question was: "*It is* under consideration". Then you wanted to know, as to whether the matter had been under consideration for the last six sessions. The answer was "I am not aware". Then you should have asked "will you please expedite the inquiry and the answer would probably be 'yes' ". I hope that will satisfy you. (Laughter)

PANDIT AMAR NATH KAK: But Sir, the papers have been pending with the Minister for the last six years.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You cannot move a vote of censure in a question.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGAR (Prime Minister): Sir, an answer on behalf of the Government can be made only by a person, *i. e.*, a Minister. He can only give such information with regard to a question as is within his knowledge. If he says "I do not know" that is a fact. If you want him to know what has happened in the past, then a notice is very necessary. Otherwise how can he answer the thing which is not within his knowledge.

MIRZA MOHAMMAD AFZAL BEG: Will the Hon'ble Prime Minister please see that a matter is not delayed like that in future?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): That depends upon the nature of each question.

PANDIT AMAR NATH KAK: I want to ask supplementary question that "will the Hon'ble Home Minister tell me how long further he will take to answer my question"? Six years have already alapsed.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Very soon.

PANDIT AMAR NATH KAK: What is meant by very soon?

NOTE.—No reply was given.

417. PANDIT AMAR NATH KAK: Will the Hon'ble Home Minister be pleased to state:—(1) Whether it has come to his notice that any book was first rejected by the Text Book Committee on the ground that its author was not a State-subject and whether exactly the same book so far as the contents were concerned and only after changing its title page and substituting 'the name of the State-subject as its author for the name of the original author was approved by the Text Book Committee? If so, what was the name of the first author and the substituted author?

(*ii*) Whether an enquiry was made in regard to this book

so as to find out who the member of the Text Book Committee was who was entrusted to go through this Text Book, before it was finally approved by the Committee? If so, whether any action was taken against the gentleman for having suppressed the fraud thus committed by the authors or the sellers of this book (the action taken against the member of the Text Book Committee, the author and the seller of the book may also be stated)?

(*iii*) Whether it was brought to the notice of the authorities that certain books approved by the Text Book Committee contained matter calculated to injure the religious susceptibilities of Hindus? If so, who was the member who had been entrusted to go through such books before these were put up before the Committee for final approval?

(*iv*) Whether any action was taken against the member who was made responsible for going through the books referred to clause (*iii*) for having failed to bring the objectionable matter to the notice of the Text Book Committee (the action taken in this case may also be stated)?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The case of Urdu Grammar has come to notice. The title page of the book has been changed and the name of the original author substituted. The original author was M. Abdullah Qureshi and this name has been substituted by that of Professor Raffi-ud-Din of the P. W. College and that of Gul Mohammed Khan of IslamiaHigh School, Srinagar. There is no record to show that this book was once rejected by the Text Book Committee.

The book was reported upon by several members of the Text Book Committee. It is very difficult to say that they suppressed the fraud, as the presumption is that they had no means of detecting it. It was detected subsequent to the book having been passed by the Text Book Committee and the matter is under inquiry.

The books upon which is alleged that they contained matter calculated to injure the religious susceptibilities of Hindus, were examined by several members of the Text Book Committee, both Hindus and Mohammedans.

It is not possible to take any action against any member in a matter of this kind. The opinions of the various members were personal.

PANDIT AMAR NATH KAK: Will those persons who a re guilty of committing fraud be punished ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Certainly.

SARDAR KANHAYA SINGH: What steps have the Government taken to avoid such circumstances ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: It is given in the reply.

418. PANDIT AMAR NATH KAK: Will Hon'ble the Revenue Minister be pleased to state:—(*a*) Whether some employees of the office of Governor Kashmir were made to retire prematurely in Samvat 1988 and 1989 to make room for retrenched or reduced Settlement employees?

(*b*) Whether such employees were allowed the benefit of prospective pay for calculation of average emoluments for the purpose of pensions allowed to them?

(*c*) Whether some employees of the offices of Hon'ble the Minister-in-Waiting and Hon'ble the Prime Minister were made to retire prematurely in 1987 and subsequent years and whether in their case the benefit of prospective pay for calculation of average emoluments was given to them by the State?

(*d*) What were the reasons for not meting out similar treatment to the employees of the office of the Governor Kashmir?

(*e*) Will the Government reconsider the case of the employees of the Governor's office and grant the concession of prospective pay for calculation of average emoluments to them also, as was done in the case of the employees of the offices of the Hon' ble Minister-in-Waiting and Hon'ble the Prime Minister?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes, a statement showing the names is attached.

(*b*) No.

(*c*) Revenue Department has no information.

(*d*) Each case is decided on its merits.

(*e*) In the view of the Revenue Minister the cases are too old to re-open.

PANDIT AMAR NATH KAK: It is not a fact.

MIRZA MOHAMMED AFZAL BEG: It is a matter of opinion.

List of officials of Governor Kashmir's office retired during 1989.

1. P. Ragho Koul.
2. P. Anand Ram Khusho.
3. P. Nila Kanth Koul.
4. M. Sad-ud-Din, A.
5. M. Sad-ud-Din, B.
6. P. Shridhar Koul, clerk, Wazarat Baramulla.

1988.

1. P. Sat Lal, clerk.
2. P. Gwash Lal Ganjoo, clerk.
3. P. Anand Koul, Revenue Record Keeper.
4. P. Tara Chand Daftri, clerk, Settlement Record.
5. P. Sadarshan " " "
6. P. Ragho Ram Zutshu " " "

7. P. Nand Lal, Settlement Record Keeper.
8. P. Gobind Koul, clerk, Governor Kashmir's office.
9. P. Ram Chand Dulloo, clerk, Governor Kashmir's office.
10. P. Sarwa Nand, Settlement Record Office.

Besides 65 officials were retired from service amongst field establishment of subordinate offices during 1988.

419. PANDIT AMAR NATH KAK: Will the Hon'ble Finance Minister be pleased to state:—(*a*) Whether the State Bank has been started in the State in accordance with the resolution passed by the Praja Sabha in its last session and accepted by the Government subsequently ?

(*b*) If so, what is its share capital subscribed by the people ?

(*c*) If not, what are the reasons for not giving effect to the resolution so far ?

(*d*) Will the Government start the Bank in the financial year commencing from 1st Katik 1994 ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: (*a*) Not yet.

(*b*) Does not arise.

(*c*) and (*d*) The Unemployment Commission and the new Director of Industries have taken up this question. The literature available on the subject has been sent by the Finance Department to the latter officer and the reports when available will receive the consideration of Government.

PANDIT AMAR NATH KAK: Has any time been fixed for submission of this report? My submission is that when the report is ready has some time been fixed when it will be presented? You have referred the matter to other officials. Has some time been fixed?

NOTE.—The Hon'ble President read out the reply again.

PANDIT AMAR NATH KAK: Sir, my question is "has any time been fixed"?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: It is not my business to fix time.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): No time has been fixed.

MIAN AHMED YAR: Has report of the commission been received ?

LALA SHIV NATH NANDA: Will not Government expedite this matter when the report is received ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: It is being expedited. When the Director of Industries' reply is received, it will be considered.

420. PANDIT AMAR NATH KAK: Will the Hon'ble Revenue Minister be pleased to state:—(*a*) Whether the local manufacturers of silk are supplied silk by the Sericulture Depart-

ment at the same rates as it is supplied to whole-sale buyers outside the State ?

(*ii*) Whether in case of the local buyers of silk there is any restriction imposed on the buyers in regard to the export of unmanufactured silk ?

(*iii*) If the rates of sale of the local buyer and the outside buyer are same, what are the reasons for prohibiting the local buyers from exporting unmanufactured silk ?

(*iv*) If the local buyers cannot be permitted to export unmanufactured silk on the ground that larger quantity of manufactured silk be prepared, will the Government consider the advisability of giving local buyers some concession in the rates so that they may be able to compete with the large scale buyer of the outside in case of fall in the prices of silk ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Yes. For Raw silk supplied to local buyers for manufacturing purposes the rates charged are the same at which large quantities *i. e.* 4,000 lbs or above are sold to outside buyers.

(*ii*) Yes.

(*iii*) The concession allowed in the case of the local manufacturers is intended to give an impetus to the Silk Weaving Industry in the State. This object would not be served if the said manufacturers would export silk in unmanufactured condition, hence the prohibition.

(*iv*) The concession at present enjoyed by the local manufacturers, sufficiently protect them against competition from outside manufacturers. The fall in the price of silk when it comes about does not affect the local manufacturers, but the outside buyers as well. As such no concession is called for on this ground in the case of the local manufacturers.

SARDAR MAL SINGH : Will the Hon'ble Revenue Minister state as to what concession has been allowed to them ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mnkerji Kt.) : Please put another question. The Hon'ble Revenue Minister has replied the question regarding concession.

421. PANDIT AMAR NATH KAK : Will the Hon'ble Prime Minister be pleased to state :—(*a*) Whether the matter which appears in the local weekly newspaper name 'Islah' on the subject of cow-killing and by which the paper attempted to prove that cow-killing was not an offence in old times, was brought to the notice of the Hon'ble Minister ?

(*b*) Whether it was brought to his notice that this matter caused great provocation to Hindus and gave rise to breach of peace at several places.

( ) Whether any action was taken against the paper for

publishing such provocative matters in its issues? If so, what was the action taken ?

(*d*) Keeping in view the possibilities of communal tension being caused by the appearance of such matter in the local newspapers, will the Government consider the advisabilities of formulating a definite policy in regard to the papers published in the State by which it will become impossible for the editors of the newspapers to publish matter calculated to cause communal tension ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) A minor incident occurred at Baramulla owing to the objectionable slogans shouted by a hawker of the Islah which irritated the Hindus.

(*c*) The editor was sent for and warned against publishing any more articles of the kind.

(*d*) The question is rather vague but if the hon'ble member has any definite suggestions to make the Government will consider them.

422. PANDIT AMAR NATH KAK: Will the Hon'ble Prime Minister be pleased to state : —(*a*) Whether after or before the promulgation of section 144 Cr. P. C. at Jammu, a lathi-charge was ordered in respect of a procession or a gathering in which there were Hindu ladies and children ?

(*b*) Whether great hue and cry was raised by Hindus alleging that lathi-charge on Hindu ladies was ordered and made there ?

(*c*) Whether an independent enquiry was made in the matter and whether it was ascertained who the officer or the Magistrate was who was responsible for this lathi-charge ?

(*d*) Whether the Government will place on the table the result of such enquiry ?

(*e*) It may kindly be stated whether any action was taken against the officer or Magistrate responsible for this lathi-charge, if so, what action was taken ?

(*f*) Whether it is a fact that at Srinagar in case of an unlawful procession of ladies only water sprinking was ordered and a lathi-charge was not resorted to ?

(*g*) What were the reasons for taking such a drastic measure at Jammu ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Even after the promulgation of Section 144 of the Cr. P. C. unlawful assemblies of men continued to gather and defy the law and as they were unruly and violent and refused to disperse when ordered to do so by the Magistrate on duty, they had to be dispersed by a lathi-charge.

It is possible some women got mixed up in these assemblies.

(*b*) The Hindus did raise a hue and cry which however was withought justification as no lathi-charge was ever authorised or made on an assembly of ladies even when it was unlawful. The Police and the Magistrates on duty had definite instructions not to make any lathi-charge on them.

(*c*) An enquiry was made by the District Magistrate regarding the alleged lathi-charge on wowen and it was found that there was no reliable evidence that any official had acted contrary to the instructions given in this behalf.

(*d*) The result of the enquiry is given in part (*c*) of the answer.

(*e*) Does not arise.

(*f*) Yes.

(*g*) This does not arise in view of the replies given above.

423. PANDIT AMAR NATH KAK: Will the Hon'ble Finance Minister be pleased to state:—(*i*) What the number of potter kilns at Kral Khud and Rainawari is ?

(*ii*) What number of slaugher houses within the Municipal limits is and what the distance of such slaughter houses from the populated areas of the city is ?

(*iii*) What the number of the ghats used by the washermen within the Municipal limits is ?

(*iv*) Whether any action has been taken for removing the potters' kilns from these populated areas, if not, why not, and whether the existence of such places does or does not affect the hygenic condition of the city ?

(*v*) Will the Government consider the advisibility of removing the potters' kilns and slaughter houses from within the Municipal limits to places at reasonable distance outside those limits; and will the Government take steps for specifying places for the washermen in the localities outside Municipal limits, where it will not be possible for them to contaminate air or water used for drinking purposes by any class of people ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: (*i*) At Kral Khud the No. of potters' kilns is reported to be 4 and at Rainawari 31.

(*ii*) The number of slaughter houses in use at present is 3, out of which 2 (*i. e.* one at Kanya Kadal and the other at Maisuma which are within populated areas) are to be shifted to such places as are far off from the population. The slaughter house at Nawa Bazar is sufficiently distanced at present from the populated areas.

(*iii*) The number of the ghats for the use of washermen is 3.

(*iv*) and (*v*) The offensive trades byelaws to deal with

trades of this nature within the city have been sanctioned by the Government and action thereunder is being taken shortly.

424. PANDIT GOVIND RAM KABU : Will the Government please state whether any customs duty is charged on idols imported into the State ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH Ji : Moortis, Idols and Images imported for worship by Hindus are exempt from payment of customs (import) duty. Idols imported for sale are liable to customs duty.

PANDIT AMAK NATH KAK : Will the Hon'ble Prime Minister now state whether it is a fact that certain ladies were wounded in a procession ?

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGAR: The question whether the lathi-charge was ordered has been answered. No special lathi-charge was ordered for ladies.

PANDIT AMAR NATH KAK : My question is that, it is stated that the department held an inquiry ; what was the result ?

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGAR : I believe that some ladies were injured. From the inquiry it was found that there was no evidence that any official had acted contrary to the instructions, and it is possible that some women got mixed up in these assemblies.

SARDAR KANHAYA SINGH : The Government have stated that no orders have been issued for making a lathi-charge over women. Now, if it is proved that officers have made a lathi-charge over women, will then Government make an enquiry ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) It has been stated in reply to the question that it was found after enquiry that no lathi-charge was made on women, nor any order was issued to this effect.

SHEIKH ABDUL HAMID (State Councillor) : I want to know whether a man or woman commit a crime, the woman cannot be a culprit.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The question does not arise.

LALA AMAR NATH KOHLI : If it is proved, will then enquiry be made ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It has been replied.

LALA RAM LAL : Are women ever beaten ? If inquiry is held, it can be proved that lathi-charge was made.

425. PANDIT GOVIND RAM KABU : (*a*) Will the Government please state whether the Hindus of Hattian Dopatta (Wazarat Muzaffarabad) had imported a number of idols from Jaipur on which customs duty amounting to Rs. 38-8-0 was levied at Domel in the month of Phagan 1992 ?

(*b*) If the answer to the above be in the affirmative, it may please be stated whether this amount was kept as a deposit for some time, if so, for how long and why ?

(*c*) Whether it is a fact that His Highness the Maharaja Bahadur has been pleased to command that no customs duty be charged on idols for the temples as well as on tomb slab and other religious images ?

(*d*) If the answer to (*c*) be in the affirmative, it may please be stated why the amount of Rs. 38-8-0 referred to above, has not been returned to the Hindus of Hattian Dopatta who have made a number of representations to the Government for the same ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Yes.

(*b*) Idols imported by Hindus for the purpose of worship were not exempt from import duty when the traders of Hattian to whom the Praja Sabha Sad refers, brought idols, and consequently the amount realized as duty had to be kept in deposit for some time pending instructions of competent authority for refund of duty.

(*c*) Yes.

(*d*) Orders for refund have already been issued.

426. PANDIT GOVIND RAM KABU : (*a*) Will Government please state whether it is a fact that it has prohibited one day traffic between Rawalpindi and Srinagar ? If so, why ?

(*b*) If rash driving be one of the reasons, it may please be stated as to how many accidents happened during the summer months of the years 1936 and 1937 ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The order has been rescinded.

427. PANDIT GOVIND RAM KABU : Will the Government please state whether its attention has been drawn to the great inconvenience which is felt by visitors and other travellers at customs post Domel, for want of a sheltered place from rain and sun, and does not the Government think it necessary to construct a shed for the convenience of the visitors ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : There is already a shed for the convenience of visitors at Domel, but several other improvements are under contemplation for the benefit of visitors.

428. PANDIT GOVIND RAM KABU: (*a*) Will the Government please state whether it is a fact that during the last five years the volume of work at Domel customs post has enormously increased while the staff there has remained the same in number as it was five years before ?

(*b*) Does the Government know that due to insufficient staff much delay is caused at this place resulting in much botheration,

inconvenience and loss to the public.

THE HON'BLE RAO BAHADUR THARUR KARTAR SINGH JI: (*a*) Yes. The work has increased and the Government have tried to carry on the work at this post so far as possible without incurring appreciable extra expenditure.

(*b*) No such complaint has been received but enquiry will be made whether any improvement in the existing arrangement is called for.

429. KHAWAJA AKBAR DAR: (*a*) The reply to part (*a*) of Q. D. No. 714 asked in the last session of the Praja Sabha is not clear. It may please be explained.

(*c*) In reply to part (*b*) of Q. D. No. 714 asked in the last session of the Praja Sabha it was stated "that the zamindars are allowed to cut down such trees under certain conditions". Those conditions may please be stated.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) The reply already given is too clear to need any explanation.

(*b*) The condition is that the zamindars shall not cut the following trees:—

(1) Trees standing in State Gardens, on Public Works Roads and by the side of Canals belonging to Irrigation Department.

(2) Royal and Reserved trees.

(3) Trees planted by zamindars on graveyards, grazing grounds etc.

(4) Trees planted by Government on Khalsa lands.

430. KHAWAJA AKBAR DAR: In reply to part (*a*) of Q. D. No. 713 asked during the last session of the Praja Sabha it was stated that orders have been issued in October 1936 for special repairs. What and where have repairs been made in this road excepting the bridge at Wathora and Daulatpura, Tehsil Sri Pratapsinghpura? What amount has been spent in these special repairs? When will the repairing be finished?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The following repairs have been made on the road during the current year excepting Wathora and Daulatpura bridges:—

		Rs.	a.	p.
1.	Repairs to Kasur Mulla bridge ...	564	7	6
2.	Special repairs to Sugam bridge ...	109	2	0
3.	,, ,, to Sepdan bridge ...	127	12	0
4.	,, ,, to culverts Pakhar Pora and Cherar-i-Shariff ...	157	5	0
5.	Special repairs to Alocha-Bagh Ompora road ...	506	13	0

6. Special repairs to roads and bridges, Ompora	...	150	0	0
Total	...	1,616	7	6

This work has been finished.

KHAWAJA AKBAR DAR: My question does not concern the repair of bridges, but it is about the road which leads to Shopian. It is almost eight miles from Tehsil Badgam and sixteen miles from Tehsil Pulwama. No reply has been given about this.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: The question has been replied as it is. What you want to express, cannot be made out from your question.

KHAWAJA AKBAR DAR: Sir, reply to this has not been received.

KHAN BAHADUR RAJA MOHAMMED AEZAL KHAN: Whatever the reply was, it has been given.

431. KHAWAJA AKBAR DAR: In reply to last portion of part (*a*) of Q. D. No. 775 asked during the last session of the Praja Sabha it was stated that the report has been called for from the Divisional Engineer and when it is received the information will be supplied. The report referred to may please be placed on the table of the House. Reasons may please be stated for not receiving the report even till now?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): It was nowhere stated that the report of the Divisional Engineer was called for. What was stated was that the matter was receiving attention. The report of the Governor of Jammu in the matter is, however, placed on the table of the Praja Sabha Sad.

Copy of a letter No. E/3065, dated Jammu, the 16th April 1937, from the Governor of Jammu to the Hon'ble Revenue Minister.

In reference to your letter No. M-1398, dated the 15th April 1937, I have the honour to say that Revenue Assistant Jammu, reports that the villages named in the above quoted question are entered in the list of alluvion and diluvion prepared in the Settlement of Samvat 1952. Damage to these villages takes place almost every year, and remissions in land-revenue are granted to the sufferers under rules in force.

No applications from the zamindars of these villages for any specific relief are said to have been received. It was, however, in the Samvat year 1992 that the zamindars of villages Bhartal and Chak Ram Chand applied for grant of land somewhere else and for protection from the damage caused by the floods. He further adds that arrangements for the inhabitation of the

zamindars of Bhartal have since been made in village Barota. As regards Chak Ram Chand orders have been given to prepare an estimate for the erection of a bund which will prevent further damage by floods in the said village and Burj Sheroo etc.

As regards delay, the Revenue Assistant Jammu submits that as the perusal of the concerned files shows no unreasonable delay has occurred in the disposal of these cases.

432. KHAWAJA AKBAR DAR: (*a*) During the last session of the Praja Sabha in reply to part (*a*) of Q. D. No. 718 it was stated that "education does not suffer by imposing such restrictions" because the dull students make good boys also dull.

(*b*) Does it mean that only those people should be educated who are naturally intelligent and the dull boys may be allowed to remain dull? Is it not the duty of the Education Department to make dull boys also intelligent?

(*c*) Will not the lives of dull students be spoiled in future by doing so and will they not be a source of anxiety to themselves, the public and the Government as a result of this defective practice?

(*d*) Under what rule or law is a twice plucked candidate declared unfit?

(*e*) Is there any such law in force anywhere else also outside the State under the Punjab University?

(*f*) If the answer to these parts be in the negative then for the people of the State who are backward in education is not the enforcing of such a practice harmful?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes.

(*b*) No. All the students are not intelligent and efforts are made to improve the dull boys. The students who fail twice are hopeless.

(*c*) Does not arise in view of (*b*).

(*d*) This is a question of common sense and not of law. A student who has failed twice is not expected to make any improvement in an institution, but is apt to retard the progress of other students without gaining anything himself. It is in his interests to know in time that he is not fit for advanced education.

(*e*) In similar conditions in the Punjab such restrictions are imposed.

(*f*) No. On the other hand it makes the students work harder and its effect is more useful.

KHAWAJA AKBAR DAR: Are some efforts being made for the dull students?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: This depends upon their own fate.

KHAWAJA AKBAR DAR: In reply to part (*b*) of the question

it has been said that efforts are being made to back up the dull students. I want to know what efforts are made to this effect ?

MR . PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : When they are discharged from the school their parents should make efforts to better their condition.

MIRZA MOHAMMED AFZAL BEG : It has been stated in the reply that efforts are being made to better the condition of the dull students. He wants to know what efforts are being made ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : It will be struck off from the reply.

433. KHAWAJA AKBAR DAR : In reply to Q. D. No. 726 asked in the last session of the Praja Sabha it was stated that this question will be put before the Education Standing Committee. What action was taken on this matter and will the decision be placed on the table of the House ? If not, why ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The question will be placed before the Education Standing Committee in the month of March next when proposals for opening new schools will be considered.

434. KHAWAJA AKBAR DAR : The reply that was given to Q. D. No. 727 asked in the last session of the Praja Sabha was incomplete. Lists of Hindus and Muslims dwelling in villages and towns of every tehsil may be separately placed on the table of the House.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The information asked for is being collected. It will involve a great deal of extra work and time and will be placed on the table of the House as soon as it is ready.

435. KHAWAJA AKBAR DAR : Will the Hon'ble Revenue Minister please state : -(*a*) If the twenty-four zamindars of Manapara, Tehsil Pulwama, including Sultan Rathar and Ismal Baba etc., were fined Rs. 31-8-0 on report by Gopi Nath Patwari for planting willow trees in the Kahcharai area ?

(*b*) What other proof is there excepting the report of the Patwari ?

(*c*) If the answer to this be in the negative, is Government prepared to refund to the zamindars the sum realized from them as fine ? If so, when ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) There was other evidence.

(*c*) That could be settled only by an appeal.

436. KHAWAJA AKBAR DAR : Will the Hon'ble Revenue Minister please state. :—(*a*) Where has the file of the zamindars of Neybog, Illaqa Tral, Tehsil Pulwama regarding the distribution of

water been lying for the last eight years and what action has been taken on it ?

(*b*) In case no action has been taken it may please be stated why during such a long period no action has been taken on this file and why the dispute regarding the distribution of water has not been settled so far ? Will Government now decide this matter ? If so, when ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) The case has been filed.

(*b*) The encroachments made by the zamindars of Khul have been removed and the question of constructing a Pacca Headwork has been dropped, as the majority of the people concerned were against the proposal.

437. KHAWAJA AKBAR DAR : (*a*) For the constructions of shops in the Deh no ground-rent is charged and on this very principle, from very old times such shops etc., have been built in the village ?

(*b*) If the answer to part (*a*) be in the affirmative then what is the reason that in Tehsil Pulwama for some shops which had long before been constructed orders were issued for realizing ground-rent ?

(*c*) Regarding the said shops what objection do Government have in following the same practice which has been in vogue there from very old times ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes, ground-rent is charged if shops are constructed on Khalsa land or any other prohibited area for commercial purposes.

(*b*) It is a general question and cannot be replied to unless the shops are particularized in order to see under what category they fall and what is their actual position.

(*c*) Does not arise for the present.

438. KHAWAJA AKBAR DAR: Is it a fact that :—(*a*) In Khalsa and Kahcharai areas from ancient times the zamindars have grown and are growing willow trees ?

(*b*) Do the branches of these trees need prunning and are the chopped off twigs used for feeding cattle also ? If the answer be in the affirmative, is not the plantation of such trees in the Khalsa and Kahcharai areas useful to the poor people ?

(*c*) Does not Government by planting such useful trees and by trying to make profits out of the same deprive the poor people of the advantages ?

(*d*) If the answer be in the negative, is Government prepared to take any action against such Revenue officers who dissuade the people from making use of such trees and in order to deprive them

of the advantages impose punishments on them? If not, the reasons therefor may please be stated in the House?

Khan Bahadur RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Yes.

(*b*) Yes.

(*c*) Government does not plant trees on areas reserved for grazing. As regards Khalsa areas, Government are free to use them in any manner they like. But the zamindars can also plant trees on a Khalsa area provided that area is not earmarked for a specific Government purpose.

(*d*) The zamindars are permitted to prune and cut trees planted by them on Khalsa lands subject to certain exceptions, and action can be taken if a concrete case of interference with this privilege is cited.

439. SARDAR MAL SINGH: Is it a fact that the Inspector General of Police has issued an order prohibiting one day Bus Service between Srinagar and Rawalpindi?

(*a*) Is it a fact that the speed limit in hilly roads like a road between Kohala and Baramulla, is fifteen miles per hour?

(*b*) Is it a fact that Baramulla is about 99 miles from Kohala? Can a Bus complete its journey in six hours and forty-five minutes according to speed limit?

(*c*) If at Domel customs post, the authorities pass the Bus within an hour, as they are at present doing is it not possible for the Bus to do the aforesaid journey in seven hours 45 minutes, and that within speed limit, including stoppage at Domel?

The HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes, but order has been rescinded.

(*a*) No, it is 18 miles per hour.

(*b*) Yes. Baramulla is about 99 miles from Kohala. The maximum speed is 18 miles per hour, but the average speed must necesssrily be lower than the maximum speed and a Bus cannot comfortably complete its journey in six hours and forty-five minutes without exceeding the speed limit, even if it has no occasional stops on the way.

(*c*) No, for reasons given under (*b*).

440. SARDAR MAL SINGH: Is it a fact that the jurisdiction of the Inspector General of Police Kashmir terminates at Kohala on Pindi-Srinagar road? If so, will the Hon'ble Home Minister please state under what rules can he issue orders to stop or regulate the traffic between Kohala and Rawalpindi?

The HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The order has been rescinded.

441. SARDAR MAL SINGH: Will the Hon'ble Home Minister please state if the Inspector General of Police has reduced the

speed limits that is fifteen miles in hills and 23 miles in plains ? If the answer is in the negative, on what grounds did the Inspector General of Police stop one day journey from Rawalpindi to Srinagar and *vice versa* ?

The HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The order has been rescinded.

BUDGET QUESTIONS.

1. MIRZA MOHAMMED AFZAL BEG: (*a*) Does the Hon'ble Minister concerned know that the condition of the zamindars of Illaqa Dachhan Pura is going from bad to worse on account of there being no satisfactory means of irrigation ?

(*b*) Is it a fact that the scheme of the construction of Dudi Kuhl for the purpose of irrigating this Illaqa is under consideration since long ?

(*c*) Will the work of the construction of this Kuhl be kindly started next year ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) No such complaint has ever been received by the Public Works Department.

(*b*) The scheme was proposed some time ago and is kept pending in view of the more urgent work in hand. This is fairly a big irrigation scheme and will cost Government a heavy sum.

(*c*) In view of more urgent work it cannot be started, but the scheme will be under consideration of Government.

MIRZA MOHAMMED AFZAL BEG: It has been said in the reply that no complaint regarding this matter has been received by the Public Works Department. Does not the Hon'ble Home Minister know that in the previous session while replying this very question, it was said that it will be brought on the list ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: I don't think anything was said like that. There was other work more important than this.

MIRZA MOHAMMED AFZAL BEG: Well, what was more important work than this ?

TEH HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The same that Government consider more important.

SHEIKH MOHAMMED AMIN: Do Government consider that unimportant which is important from the view-point of the public. (Laughter)

2. MIAN AHMED YAR: Will the Hon'ble Finance Minister please state the difference in the pays of the employees of the Customs Department in the budget of 1977 and the present proposed budget; and the detailed difference, if any, in the employees of the said department in 1977 and that in the present budget ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: The

rates of pay obtaining in 1977 and that allowed at present are given below:—

	No.	1977.	No.	1994-95.
Superintendent now Inspector General, Customs and Excise.	1	500-25-800	1	1,200-100-1,500.
Inspectors ...	2	250-20-350	2	500-50-700.
Deputy Inspectors 1st grade.	2	150 p. m.	3	300 p. m.
Deputy Inspectors 2nd grade.	4	125 ,,	5	250 ,,
Deputy Inspectors 3rd grade.	6	100 ,,	9	200 ,,
Assistant Inspectors 1st grade.	6	70 ,,	6	125 ,,
Assistant Inspectors 2nd grade.	8	60 ,,	8	100 ,,
Assistant Inspectors 3rd grade.	14	50 ,,	18	75 ,,
Mahaldars 1st grade ...	29	25 ,,	22	60 ,,
,, 2nd ,, ...	53	20 ,,	33	50 ,,
,, 3rd ,, ...	78	15 ,,	92	40 ,,
Assistant Mahaldars 4th grade.	...	.....	40	25 ,,
Executive peons ...	399	9, 8, 7 and 6 p. m.	427	16, 17, 18 and 18 plus 1 as literacy allowance.

NOTE.—While the Hon'ble Finance Minister was reading the reply, Mr. Beg remarked "They are multiplying very fast". (Laughter)

MIAN AHMED YAR: Why these salaries were raised and new posts created?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Even this the opinion of the Praja Sabha that salaries of the menials be raised.

MIAN AHMED YAR: No, question of the menials cannot cost such a very sum.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Because at first, the department was very small, and it has expanded since then. At that time the income was 21 lakhs whereas now it has gone to above 50 lakhs. Besides, great confusion was imminent and to meet this higher posts had to be created.

MIAN AHMED YAR: It is not a reply to this. Will the income rise by raising the tarrif or by increase in the staff?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: By both.

MIRZA MOHAMMED AFZAL BEG: Will the income rise by increase in the staff ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Certainly, they checked smuggling.

SHEIKH MOHAMMED AMIN: The income increases to the extent the goods are received and taxed at the customs post. How then the income rises by increase in the pay of the employees ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: You are all putting questions simultaneously. If you were to ask one by one I would reply.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You are asking entirely a new question. We have nothing to do with this.

SHEIKH MOHAMMED AMIN: No Sir, this is not a new question.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): What is the ruling of the President ?

MIAN AHMED YAR: Was any demand made by the officials for increase in their salaries ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Certainly.

SARDAR DHIAN SINGH: Why such a high grade of pay has been allowed to the Inspector General ? What is the reason for it ?

3. MIAN AHMED YAR: Will the Hon'ble Finance Minister please state what was the total amount of income from Customs in 1977 and that stated under the head "Income from Customs" in the present budget ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: The figures of income under different heads of Revenue during 1977 and 1994-95 are given below:—

		1977.	1994-95.	
Customs	...	21,15,467	24,20,000	Import duty on goods out of bond.
			28,21,000	Import duty on bonded goods.
Total	...	21,15,467	52,41,000	

MIAN AHMED YAR: It has been stated in the reply that income from Customs for the year 1994-95 is Rs. 52,41,000. But on page 2, item 4, of the printed budget the estimate for the year 1994 95 has been shown as Rs. 60,53,000. What is the reason for this discrepancy ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: The reply will be given after inquiry. Perhaps the difference is due to the road-toll.

MR. MOHAMMED AFZAL BEG: Will the sum increase or decrease after deducting the road-toll?

MIAN AHMED YAR: Road-toll is included in the budget.

MIAN AHMED YAR: If road-toll were eliminated from the Customs the income would have been shown less and not more.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The Hon'ble Finance Minister has replied that answer will be given after inquiry. No use confusing issues. We must proceed methodically.

4. MIAN AHMED YAR: Will the Hon'ble Finance Minister please state the increase in the income from Customs and how far is the import of goods responsible for this and how far the increase in the rate of duty?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: The period to which the question relates has not been specified and hence no reply can be given.

MIAN AHMED YAR: Has not the Hon'ble Finance Minister himself studied the papers? Does it not appear from the reply of the previous question that he himself has not studied the papers?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Each question has a separate reference. You must not mix up questions.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: If you want to ask anything more the reply will be given after inquiry.

MIAN AHMED YAR: That is evading Sir, nothing more.

5. MIAN AHMED Yar: In raising Customs duty or in imposing fresh duty are rates of duty in some other native States kept in view? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: It is not necessary to do so as each State has its own peculiar conditions to look to. The tariff here generally follows the British Indian tariff except in a few cases for which His Highness' Government maintains a Special Schedule for protective purposes.

6. MIAN AHMED YAR: What was the income from Sericulture last year, which is due to be over at the end of Assuj 1994, and what expenditure is incurred on this department?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): It is not possible to give accurate figures until the accounts have been made up after the close of the year.

7. LALA SHIV NATH NANDA: (*a*) Will the Hon'ble Finance Minister state if a sum of Rs. 1,83,000 has been shown in the total for 1993-94 as advance duty on salt and Rs. 1,94,000 as advance duty for 1994-95? What is the idea of advance duty, it may please be explained?

(*b*) It may please be stated how much salt was imported in

1993-94; and what amount was realized as customs duty and how much income is expected in 1994-95 from the import duty on the same?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Rs. 1,82,000 have been shown as the original estimates for the current year; Rs. 1,94,000 as the revised estimates for the current year and the original estimates for the next year (1994-95). The "Advance duty on Salt" is recovered only in Jammu Province. It is levied at concession rate on such salt as is imported in bond direct from Khewra Mines.

(*b*) Figures are not ready as the year has not closed yet. Rs. 1,94,000 have been proposed as the estimates for the next year.

9. KHAWAJA GHULAM MOHY-UD-DIN KHAN: Will Government please state the income from the following heads shown in the budget estimates for 1994-95 for both the Jammu and Kashmir Provinces:—

(1) Land Revenue, (2) Customs and Excise, (3) Forests, (4) Sericulture, (5) Stamps, (6) Electric Department and the other heads of income.

The replies may please be supplied separately for each head and for each Province?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI:

	Jammu.	Kashmir.	Frontier.
Land Revenue ...	26,91,000	35,91,000	2,33,000
Customs and Excise...	Not available separately.		
Forests ...	,,	,,	,,
Sericulture ...	2,90,000	13,00,000	.....
Stamps ...	Not separately available.		
Electric Department.	1,69,400	4,24,600	.....
Grazing ...	3,60,600	2,38,000	9,300
Income Tax ...	Not separately available.		
Irrigation ...	,,	,,	,,
Administration of Justice ...	87,000	88,500	500
Jails ...	28,500	40,500	.....
Police ...	17,000	18,000	.....
Telegraphs and Telephones ...	Not separately available.		
Miscellaneous Depatts.	,,	,,	,,
Education ...	33,000	33,000	.....
Medical ...	1,300	2,700	.....
Industrial Departments.	Not separately available.		
Agriculture ...	,,	,,	,,

Public Works Department	...	Not	separately	available.
Military	...	,,	,,	,,
Stationery and Printing		,,	,,	,,
Miscellaneous	...	,,	,,	,,

SHEIKH MOHAMMED AMIN : Sir, there were some difficulties about the form in which the cut motion was to be presented. In view of those difficulties I had an exchange of ideas with the Hon'ble Prime Minister I have now put the resolution in the following form :—

"This Praja Sabha recommends to the Council that a cut of Re. 1 be made in the customs grant to discuss the rate of contribution from the Customs grant to the Municipalities."

My object in moving this cut is to point out that when laws are framed here, the loss that local bodies have to incur as a consumer is overlooked. Sir, you are aware that in the advanced provinces of India and (in other countries) and big cities all the municipal committees are progressing from day to day. Their main source of income is octroi. The customs tariff in our State was low in the beginning, but gradually it has been so enhanced that its parallel cannot be found anywhere in Indian State It is difficult, in this connection, to imagine the loss that municipal committees have been put to. Goods imported under bond from British India are not liable to any octroi duty. The natural result is that the loss which the municipalities and other local bodies have to incur is so great that they cannot carry on their work. That is why you find the city of Srinagar in such a bad condition today. Jammu too is not any better Ordinarily the main source of income depends on the goods which come under bond from British India. The principle is that the octroi duty should be levied on it and that income credited to the municipalities. In Bombay, Calcutta and other big cities there is a town tax. Srinagar is second in the Punjab according to population, Lahore being first. In Lahore income from octroi duty exceeds six lacs. In Srinagar it is perhaps about a lac. The Government ought to think of the local bodies, and consider how they can carry on their work. The local bodies have understood that they receive no encouragement and that their source of income has been taken possession of by the Government. All the goods that come under bond from foreign countries are not charged any octroi duty which results in a great loss to the municipality. This matter was brought to the notice of the Government two years ago, and consequently the Government decided that $1\frac{1}{2}$ pice per rupee out of the

income of the Customs Department would be given to the municipalities, eight annas to Jammu and one rupee to the Srinagar Municipality. I would submit that this is a very small sum, and therefore appeal to the Government to make up the loss and increase this grant to at least 3 per cent. as the local bodies have been losing and are put to a great loss Local bodies could then take up real work; and the various troubles existing at present would be no more. Since many of my friends have tabled cuts about Customs Department I want to save time and finish my speech. I hope the Government will consider this reasonable suggestion of ours. If there be any questions I will give replies to them.

MIAN AHMED YAR: I support Sheikh Mohammed Amin's resolution

MR. A. N. PURBI: Sir, my friend has moved his resolution. I believe he has some misunderstanding about it which I want to remove. In the course of his speech he stated that octroi duty is not charged in Bombay; but there is a different tax there. He has not appreciated the reasons for this duty. Octroi duty is not realized when there is customs duty. Take the instance of Tawi. The income from this customs post is fifteen lacs, but the residents of Jammu would not pay even a lac of this if octroi was charged. In order to remove this anamoly and not to put too much burden on the people the practice is to remit octroi duty when customs duty is realised. The Jammu customs post yields an income of about fifteen lacs. Out of this goods worth seventy to eighty thousand are consumed in Jammu and the remaining go to towns and mufassils. If octroi duty is also charged on these goods people will not be able to bear this double duty, and trade will be hit hard. Those who have experience of administration keep all these things in view.

Octroi duty is never levied in Bombay. Goods worth crores are imported there. If octroi duty is levied there it will mean that all goods that are imported into India will be subject to this duty. The Government is losing lacs of rupees in this way because it is a matter of principle.

If the Government has kindly given some money you should be grateful for it. If permission is given to realize octroi on goods on which customs duty has already been realized there can be no very great saving. Take for instance salt. Octroi can be charged at the rate of a pice, two pice or at the most an anna per maund of salt. The municipality will not get even as much then as it is receiving now from the Government at the rate of 1½ per cent. I think it is only the generosity of the Government. An income of four to five thousand accrues even where Dharat is charged

More is not realized anywhere. If the municipalities think.

that their income is small as against their expenditure it will be better for them to follow some democratic practice and to create new means of income. It is not proper that in order to meet their financial requirements they should go on taking money out of your or my pocket or from the Government. I would therefore say that if the Government treats the municipal committee in paternal way we should be grateful for it.

MAJOR ATTA MOHAMMED KHAN: Do you mean to say that customs duty should be enhanced in the State ?

MR. PURBI: It has been emphasised that tariffs are higher in this State than anywhere *else*. I should like to know which other State by virtue of a treaty gets a refund on bonded goods. You may undoubtedly have seen some States, but you have not studied the conditions that obtain there. You ought to know that conditions in our State and other States are largely different. If, as you suggest, customs duty is reduced, prices will no doubt fall and people also get some convenience. But in that case the Government will be losing the eighteen lacs of rupees which it gets as refund now. It is important to study a subject well and only then make suggestions which are to the advantage of neither the people nor the Government, should not be made. That is sheer waste of time.

With these words I oppose this resolution.

PANDIT AMAR NATH KAK: MR. President, I had no intention of speaking on this resolution.

MR. PRESIDENT(The Hon'ble Sir Lal Gopal Mukerji Kt.): For general information I may say that ten minutes will be give to each speaker.

PANDIT AMAR NATH KAK: But when I move my resolution ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Fifteen minutes will be given to them.

PANDIT AMAR NATH KAK: I had no idea of speaking on this resolution, but in view of what has been said by my learned friend MR. Purbi, I think it necessary to place some of my ideas before the House. It is unfortunate that this time the procedure about budget resolutions should have been changed. We have been compelled to move our resolutions in a destructive and not in a constructive form now. The object of a cut motion is to move for reduction in a particular grant when the policy of the Government in that particular matter is not liked and thus evoke a discussion.

So far we moved our resolu ions in a constructive form in the House. If this resolution had been moved according to the old procedure it would have asked a reduction of ten to fifteen thousand from the Customs grant and its addition to the grant for municipalities. I would submit that much of our time will be

wasted in this way and it seems *prima facie* unreasonable. Anyhow we must move our resolution in the very form in which we are allowed to move them. The motion does not ask for levy of octroi duty on goods that are imported into the city. That was not our object.

I would also submit that the treatment of the Government towards us has neither been motherly, nor fatherly, but stepmotherly. The money realized from this tax is not spent on the improvement of the cities. It is used in paying big salaries.

VOICES : Shame, shame.

PANDIT AMAR NATH KAK: My learned friend Mr. Purbi was in charge of the Customs Department for a long time. He must be aware of the quantity of goods consumed in Srinagar and other cities and towns. We do not want to dispute that; nor do we want that customs or octroi duty realized on goods imported in bond into the municipal limits should entirely be allotted for the improvement of cities and kept at the disposal of the municipal committees. Sheikh Sahib has not asked that all this money should be made over to the municipal committees. He has asked that $1\frac{1}{2}$ per cent. of the customs duty which is being given to the municipal committees should now be increased to 3 per cent. They do not ask for cent. per cent as stated by Mr. Purbi in his speech. Mr. Purbi ought to have said that in Jammu they would pay $2\frac{1}{2}$ per cent. only, and not 3 per cent. or that the percentage given now is already enough. But he told a different tale and started talking of the treaty etc. which was irrelevant for the purpose of this resolution. I would submit that a greater percentage of the income from customs should be given to the municipal committee so that the condition of the city can improve. With these words I support this resolution

LALA SHIV NATH NANDA : Sir, my friend Mr. Mohammed Amin has moved a resolution for reduction in the Customs grant. Mr. Purbi has raised some objections to this. I want to reply to the objections of Mr. Purbi.

Mr. Purbi asserted emphatically.

A VOICE : He did not make any noise.

LALA SHIV NATH NANDA : He was speaking loudly.

Mr. Purbi stated that the resolution moved by the hon'ble member would only result in waste of time both for the House and the Government. I would like to tell my esteemed friend that we all know what the attitude of the Government is. We do not want to unnecessarily trouble the Government. But we deem it our duty to bring important matters to their notice.

My esteemed friend Mr. Purbi was in charge of the Customs Department for a considerable time. He must be aware that in Sialkot a Mandi has been constructed near the Customs House.

What did the people mean by constructing this Mandi? All the goods that come to Sialkot are collected first in this Mandi and then sent to the villages etc. The goods meant for the city are sent to the city and people have to suffer neither more inconvenience nor pay additional taxes.

I would submit that some part of the customs duty which is realised on goods which remain in the city should go to the municipal committee. Since the municipality is getting a very small sum now some increase should be made in it.

My esteemed friend has moved a cut motion. I want to reply to the objections that have been raised by Mr. Purbi against it. He stated that the resolutions or motions moved in this House by the members about their requirements are not moved after careful consideration. Mr. Purbi should know that we are aware of every thing. All the motions moved in this House by us are moved only after understanding the attitude of the Government. My esteemed friend must be well aware, because he was in charge of the Customs Department, that a Mandi has been constructed outside Sialkot station. What does that mean ?

It has been done because they wanted that goods which go into the city should be subject to octroi, and goods which are to go to the mufassils should go free of duty.

I would like to say what the condition of the municipality here is. In every civilized country income from water-tax and supply of electricity goes to the municipal committee. But here if the municipality stands in need of water for sprinkling on its roads the Government demands water-tax from it. This practice is followed nowhere else in the world. Money is not demanded from the municipal committee for looking after the sanitation and cleanliness of the city. The reason for general uncleanliness in our State is that the Government demands money for water. There are many other difficulties of this nature.

Sir, if you consider this matter, you will realize that our municipal committees are helpless ; and the complaint is justified. The income of the Srinagar municipal committee is about four lacs. The city is an extensive one and an income of four lacs stands no comparison with the extent of the city. Even then two lacs out of it are spent on the health and cleanliness work. It is an undesirable fact that inspite of this expenditure proper arrangements do not exist for cleanliness work. In the course of his speech my esteemed friend remarked that the Government gives $1\frac{1}{2}$ per cent. to the municipal committees out of the income of the Customs Department as a token of generosity. This is correct. But if the Government desire that the condition of the cities should improve and the Minister-in-charge makes a recommendation the present contribution of $1\frac{1}{2}$ per cent. can be

increased to 2 or 3 per cent. Mention has been made of Sialkot. When goods are imported into the city octroi is charged, and not when they are sent to the mufassils. I would suggest that a "Serai" be constructed near the Jammu Station. Duty realized upon goods that are imported into the city should be handed over to the municipal committee. I do not want to say much, I would only say that the tourists who now come to Kashmir complain of uncleanliness and if the Government does not consider some means of increasing the income of the municipal committees the conditions in the cities will get worse. In a sitting of the municipal committee I made a suggestion. I said that if the Government demands tax from the committee for the use of water which is used for sprinkling purposes, the committee should charge ground-rent from the Government for the poles fixed in every municipal lane and bazar. These things always give rise to quarrels. I would therefore suggest that it would be proper for the Government to help the municipal committees as far as possible. I support this resolution and would request the Hon'ble Finance Minister too to support it as far as possible The Government should not oppose it. It shoud make some concessions.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Sir I believe that discussion over this resolution has cropped up because. Mr. Purbi's speech has been misunderstood. He never meant to put obstacles in the way of the passing of this resolution. If the mover had made a careful study he would not have said that the Government renders no help. Instead of affirming that the Government renders no help at all, he ought to have said that the present help is insufficient and it should be increased. That would have been correct. I next take up Mr. Nanda's objections. As Minister-in-charge municipalities I know that goods imported from outside into Jammu are not all meant for Jammu only but for the whole Illaqa *i. e.* Rajouri, Kathua, Banihal etc. If all this income from the Customs Department be spent on the improvement of the cities it would not be proper. The Government already gives the cities more than it should have given. After all others also have some share in this income.

Expression was also given to the inconvenience about water supply. The House must be awere that the Government has spent lacs on water supply. If the expenditure is incurred by the Government, how can the municipal committee claim profit. If the income of the Water Works Department is compared to the expenditure incurred, the income is nothing. And without help from the Government the Water Works Department will fail. In a way this is also a great help from the Government to the municipal committees. Under the circum-

stances complaints are not justified. If the House so desires Water Works can be handed over to the municipal committees. The Government will have no objection to that only the committees should deserve it.

VOICES : That is what we want.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI. : The Government will transfer the Department only if you can run it. Fire brigade work is also a municipal duty and expenditure in this connection should also be borne by the municipality. But on the other hand that work is also being done by the Government. The purchase of fire engines or hosepipes is made by the Government ; and is thus another contribution to the municipalities. The Government again helps the municipal committees when it pays the expenses of the Primary Schools. This expenditure also ought to be borne by the municipalties. So far as the roads are concerned all the main roads in the city are constructed through the Public Works Department. The other small roads which are in-charge of the municipalities are lying unrepaired and complaints are being received now-a-days. If the members just think for a minute they will realize that all this would have to be paid for by municipalities which are poor. His Highness the Maharaja Bahadur has been pleased to command and the Council has also ordered that one pice per rupee in Kashmir and half a pice per rupee in Jammu should be given to the municipalities. This makes a total sum of eighty-five thousands. The Government is giving more than the required aid to the municipal committees. If expenditure alone is taken into account the municipalities will have to make some contribution to the State from out of the municipal funds. If the hon'ble members had known all this, I think, this resolution would not have been moved. There is only one thing which they can do now and that is to withdraw the resolution. Else they will have to pay out of their own pockets.

SHEIKH MOHAMMED AMIN : Sir, first of all I want to reply to the objections raised by Mr. Purbi. I must say with regret that I used to think that he was here as President of the Chamber of Commerce, but now I see that he sits on a bench, the primary duty of whose occupants is to oppose our resolutions.

MIRZA MOHAMMED AFZAL BEG : Has he been elected by the Chamber of Commerce as its representative ?

A VOICE : No, he has been nominated by the Hon'ble Prime Minister.

RAI SAHIB PANDIT RAM CHAND KAK : No, he has been selected by His Highness.

SHEIKH MOHAMMED AMIN : I have seen that even if a *via media* is proposed objections are raised. I have always had one

idea, that facts should be looked at in the proper light. If I had moved that the Customs Department should be abolished opposition would be justified. If we take other Indian States we find that such heavy duties are charged nowhere. I can support this statement with statistics. Mr. Purbi has in reply referred to the treaty. He has also stated that the State Government should be grateful to the British Government which gives us rupees thirty-five lacs as refund. This principle is not at all acceptable. There is a treaty between the British Government and the State and a burden is being put on the public because of it ; and all goods made subject to the same rate of duties as are paid at the ports. I would request the Government benches to have the same rate of duties now as existed at the time of this treaty with the British Government. Goods which were then subject to a duty of 3 per cent. are now charged at the rate of 25 per cent. If the schedule of the Customs Department prior to the appointment as Inspector General Customs of my esteemed friend Mr. Ram Chand Kak is examined it will be clear that there has been an increase of fifteen lacs in the income. Were we subordinate to another authority and obliged to copy their schedule blindly? The schedule of 1932, prior to 1934, bears me out. If the principle of the State Government to levy heavy taxes is deemed just even air can be taxed. The Government has got the power. I do not want to enter into this discussion but as the rights of the local bodies are neglected and severely damaged, I am obliged to speak. I would submit that such a contribution should be made that the municipalities may be able to stand on their own feet. The Hon'ble Minister has said that one pice and a half per rupee will now be contributed. The Government has agreed that the municipalities would be losers if they get the octroi and have to pay for all the services. The Water Works Department also ought to be under the municipalities. In fact it is my desire that all such departments should be under municipalities. I have thrice so far been elected a municipal commissioner. Many times resolutions to the effect that no water tax should be charged have been passed, but the attitude of the Government is such that these resolutions have always been opposed ; and water tax has been levied. I believe this department is not transferred to the municipalities lest they should abolish the tax.

A VOICE FROM THE TREASURY BENCHES : How then will the committees maintain this department ?

SHEIKH MOHAMMED AMIN : The municipalities will maintain it. It is already incurring expenditure indirectly. Why does the Government put forth unnecessary objections ? Why does it not make over this department to the municipalities ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) :

Please don't interrupt his speech.

SHEIKH MOHAMMED AMIN : The municipalities will themselves make arrangements for water supply and fire brigade work. It will also run similar other departments. This will mean a relief to the Government, and it will also get the credit for this step. It will be better if the Government changes its attitude and accepts this resolution.

GENERAL JANAK SINGH JI : The question is a simple one, but it has been complicated.

DEWAN BAHADUR N. GOPALASWAMI AYYANGAR : I want to know if any member has anything to say ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) Mr. Amin has replied. Therefore no other member can speak.: Does anybody want to speak on behalf of the Government ?

SHEIKH MOHAMMED AMIN : My speech will have given rise to some misunderstanding. It is therefore necessary to explain it. Some suggest that town area committees should also receive some contribution from this fund like the municipalities. Therefore if the Government gives something to the town areas also there should be no objection.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Have you talked about municipalities or about town areas ?

SHEIKH MOHAMMED AMIN : Town areas and municipalities are both included.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Sir, I have already submitted and it has become clear that the Government is giving every possible aid to the municipalities. But in view of the speeches made by the members the Government will generously give help to the municipalities, whenever needed. All the expenditure incurred in connection with the construction and maintenance of the roads in the towns of the Jammu and Kashmir State is borne by the Government. The municipalities do not spend a pie on this. It is a matter of surprise that all the income from wheel tax should go to the municipalities, while the expenditure is incurred by the Government. Again my friends say that water-tax is being charged from them and the income from this tax is not spent on public works. They do not know that water-tax does not yield income even equal to the expenditure, on water supply. The expenditure exceeds the income, and the Government pays everything. Lacs of rupees have been spent in Jammu for procuring water facilities. I have not got the necessary figures with me now. Otherwise I would tell you what the income and the expenditure are. I could then prove that the expenditure exceeds the income. If the income exceeds the expenditure the municipality would be justified in objecting to its money being spent. If you want that this work should be

made over to the municipalities so that they incur all the expenditure and realize themselves all the income, the Government has no objection.

Similarly if the municipalities maintained fire brigades they would have had to incur expenditure in that connection. Perhaps you too would have had to pay something out of your pockets. The Government again incurs all this expenditure. Keeping this all expenditure in view, if you all suggest that these departments should be under the control of the municipalities which will have to bear the cost of maintenance the Government shall have no objection.

I would also like to mention that in the beginning our municipalities made a request that since they were in their infancy the Government should help them. They would be grateful for the help. The Government accordingly helped them. The municipalities of the two provinces of Jammu and Srinagar were given an annual grant of rupees eighty-five thousand. The Government is carrying on many of the activities of the municipalities. Inspite of this our friends are not grateful to the Government. A friend remarked that we are very grateful to the Government of India because they help us by means of the refunds. But I would like to say that the making of such a refund is no obligation to the State. Under our treaty and according to its terms this has to be so. We too pay in return a sum of twenty-two lacs. This is not a matter of obligation. We do not appreciate what our State does and we are not grateful for the concessions which the Government extends to us. On the other hand we appreciate what is done outside and offer our thanks while sitting at home. We do not offer our thanks to our Government when it does so much for us.

PANDIT JIA LAL KILAM : I thank you, Sir.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Thank you very much. My friend also stated that the Government makes an annual contribution of eighty-five thousands to the municipalities, because of the loss of octroi they have to incur. This is not correct. The contribution is not being made because of loss of octroi. It was because a respectful request had been made to the Government to give to the municipalities the income from water-tax. The Government replied that they had no objection if the municipality would pay the capital cost of the Jammu Water Works. The municipality had no funds, nor any capital out of which they could pay this cost. The Government, therefore, said that it would take the income from Water Works too and bear its maintenance charges also. The municipality under these circumstances did not deserve any compensation. The Government had been paying rupees eighty-five thousands even before

this. This contribution was not made because of loss of octroi though the income from this tax is credited to it.

SHEIKH MOHAMMED AMIN: It was said on behalf of the municipalities that they lose octroi. I asked a question according to which resolution and under what circumstances the Government aids the municipalities. But there was no reply.

In the course of my speech I have proved that all the work is being carried on with the capital of the municipality. The income from the tax exceeds the expenditure, and the Government is making a profit. The Government says that they gain nothing, but facts and figures do not prove this. No satisfactory reply has been given.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Since there is no agreement of opinion about this resolution votes will have to be taken.

The House divided as below :—

Ayes ... 34 Noes ... 30

1. Pt. Jia Lal Kilam.
2. Pt. Gobind Ram Kabu.
3. Pt. Amar Nath Kak.
4. L. Shiv Nath Nanda.
5. Sardar Kanhaya Singh.
6. Sardar Dhian Singh.
7. Colonel Abdur Rehman Khan.
8. Pt. Ram Chandra Dobey.
9. Sardar Hari Singh.
10. Lala Hans Raj.
11. Kotwal Lakhmi Ram.
12. Lala Amar Nath Kohli.
13. Bakhshi Moti Ram.
14. Lala Ram Lal, Vakil.
15. Dev Raj Shastri.
16. Kh. Saif Shah.
17. Kh. Sanaullah.
18. Raja Murawwat Khan.
19. Jagat Ram Aryan.
20. Lajpat Rai Sariyara.
21. Major Atta Mohammad.
22. Mian Ahmed Yar.
23. Mr. M. A. Beg.
24. Sh. Mohammed Amin.
25. Mr. G. M. Sadiq.

1. Dewan Bahadur N. Gopalaswami Ayyangar.
2. Rao Bahadur Thakur Kartar Singh Ji.
3. Mr. K. N. Knox.
4. Sahibzada Sir Abdus Samad Khan.
5. Rai Sahib Pt. R. C. Kak.
6. K. S. Raja Mohammed Afzal Khan.
7. Wazir Feroz Chand.
8. Pt. Ram Nath Sharma.
9. R. B. Jagat Parshad.
10. Rai Bahadur Pt. A. N. Purbi.
11. B. Ram Dass.
12. Wazir Ganga Ram.
13. Sultan Feroz-ud-Din Khan.
14. Major General Janak Singh.
15. K. B. Thakur Agha Syed Hussain.
16. Wazir Tej Ram.
17. Rai Ghulam Hussain.
18. Rai Sahib Pt. Shyam Sunder Lal Dhar.
19. Pt. Ram Chandra Razdan.

26. Mian Qurban Ahmed.
27. Kh. Akbar Dar.
28. Kh. Ali Mohammed.
29. Kh. Ahmedullah Shahdad.
30. Syed Hussain Shah Jalali.
31. Kh. Ghulam Hussain Malik.
32. Kh. Ghulam Mohi-ud-Din.
33. Subedar Khan Mohammed Khan.
34. Ch. Abdul Karim.

20. Major Thakur Prem Singh of Jandi.
21. Risaldar Thakur Sadhu Singh of Vatala.
22. Sardar Mal Singh.
23. Munshi Asad Ullah, Advocate.
24. Pt. Lok Nath Sharma, Advocate.
25. Sheikh Abdul Hamid, Advocate.
26. Ch. Abbas Ali, Zaildar of Mirpur.
27. Kh. Abdur Rahim Bande.
28. Kh. Safdar Ali.
29. Wajid Ali Shah.
30. Yebgo Iftikhar Ali.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The resolution was pressed to a division and carried by thirty-four against thirty votes.

2ND RESOLUTION.

MIAN AHMED YAR: Sir my resolution is as follows:—

"This Praja Sabha recommends to the Council that a cut of Rs. 2 be made from the Customs grant in the Budget;—

To enable the House to discuss the tariff policy of the Government".

This cut motion has been moved so as to provide the members an opportunity of discussing the policy of the Customs Department. While presenting this motion I would like to say that the Customs Department comes first of all the groups in the detailed budget. Undoubtedly from the Government's and the country's standpoint this Department has a special importance. In 1972 the income of the Customs Department was only twelve lacs of rupees. Now *i. e.* since 1972 onwards income from customs duty has come to about sixty lacs. I believe the treaty which Maharaja Gulab Singh made with the British is still in force. There has been no amendment to it. It seems to me that there was no reason for the Government to increase customs duty to such an extent There was no war for which the Government stood in need of funds which could be procured only by an increase in customs duty. If customs duty is enhanced or new taxes are levied in countries like America, France, and Great Britain, it is done only with the object of solving the problems

of unemployment etc. or to meet the expenses of war. People themselves, keeping in view the difficulties of the Government, justify these actions. But here this is not the case. The policy that the Government has followed in increasing its customs revenues from twelve to sixty lacs is looked upon with disapproval. In which other Indian States are such heavy customs duties levied as here? In Travancore which is undoubtedly a very advanced State the schedule of rates is very low. Customs duties are enhanced here only to increase the salaries of officers.

Sir, it has been said that since the income of this Department has increased the pays of officers have also been increased, and that increase in salaries lessens bribery. I would submit Sir, that in this State at least the necessaries of life are not exempted at the time of the enhancing of duties or fixing of tariff. In Hyderabad 75 per cent. goods are exempt Duty is realized only on 25 per cent. goods and that too does not exceed 5 per cent. Our State pays no attention to this.

I would submit an instance in point. Business in Namdas provides some work for Kashmir. The Namdas come from Yarkand and the people here get goods for their business. But so much duty has been levied even on this that instead of leaving a source of profit it also causes a loss. The duty has been increased from 8 to 25 per cent though there is not even one factory for this in the State. Like the time-scale in services say of 30-3-75 this duty has also been increased from 5 to 25. The Government has no reasons for this increase. Namdas are manufactured here in such a quantity that after fulfilling all the local requirements they can even be exported. Moreover blankets are also made here, and our zamindars can pull on with one blanket only. They would therefore stand to gain by trade in Namdas. But they are unable to bear so much duty.

Take again the case of medicines. There are no special works for preparation of medicines here. Nor is there a university of Indian medicine as in Kapurthala. Inspite of this the medicines which are imported for the health and the cure of people are subject to a duty which has been increased from 15 to 50 per cent.

Or take the case of fruits. More fruits than are needed by the people are produced here. The export of fruit can be a source of profit. But even this is subject to an export duty As a result it is difficult to compete in the Indian market. There is customs duty on leather and ghi (clarified butter) and on sugarcane.

I would like to submit why duty is being charged on goods which are the sources of income of the zamindars. Almonds are

subject to such a heavy duty that it is difficult to compete with outside varieties. So far as tanning is concerned, I would say that the duty is too heavy. Of course there is one factory in the State, but it has been handed over to others There is a duty on wool too. There is no doubt that wool should be subject to duty, but an "at-random" policy is being followed in this connection. Mr. Amin, the whip of my party, has placed before the House the tariffs of Hyderabad, Travancore, and Baroda. He has proved that the tariff policy is very defective. The duty has been increased from twelve to sixty lacs merely to provide for unnecessary expenditure. While increasing it the Government has not thought of also increasing the means of income of the people.

In this connection I would like to submit that Government has now adopted the policy of filing cases against people who talk against officers. But thank God that in this House at least we have the right of free criticism. The fact is that people really do smuggle in collaboration with local officers. The booty was shared half and half between the officer and the smuggler. The Government has stated that increase in the salaries lessens bribery. I would submit that that is not the case. If the Government instead of filing cases against those who criticise the officers, were like the Punjab Government to take action under State Service Conduct Rules, it would certainly tend to gain. The public would also feel satisfied. But a different policy is adopted here The object in increasing the salaries has not been achieved. I hope that the cut motion which has been presented will not be ignored by the Government and we the thirty-two elected members will not be compelled to walk out as we had to do last year. The Government should consider this cut motion sympathetically so that the public can be satisfied. They would then understand that we are not only nominal but real representatives With these words I close my speech. I would therefore move a cut of rupees two in the Customs grant.

SHEIKH MOHAMMED AMIN : While supporting the resolution of Mian Sahib I would briefly like to make one submission. In his speech Mian Sahib has clearly explained his point of view to the House It is likely that the Government may say in reply that a Customs Advisory Board has been set up, and that this Board will take under consideration all questions about which Mian Sahib has informed the House. I would like to say something about this Advisory Board.

With regard to the constitution of this Board, I would like to say that if the Board had been constituted in accord-

ance with my suggestion then today we would perhaps not have felt the necessity of moving this resolution. Instead of setting up a Tariff Board the Government has constituted an Advisory Board. If it is really an Advisory Board there is no reason why it should have a majority of officials. As at present constituted the Board has the Hon'ble Finance Minister as its chairman. The Inspector General Customs and the Accountant General are among the other members The fourth member is Mr. Purbi, retired Inspector General Customs representing the Chamber of Commerce.

MR. BEG : And the gentleman who owes his seat in the Assembly to the Government.

SHEIKH MOHAMMED AMIN : All the three belong to one Department. The Accountant General and the Inspector General Customs are both under the Hon'ble Finance Minister. You can well imagine how and to what extent these gentlemen can oppose at the time of giving their advice. Ordinarily in an Advisory Board there should be a non-official majority. Otherwise the very object of setting up an Advisory Board is defeated. This Advisory Board is so constituted as to be utterly useless.

PANDIT JIA LAL KILAM : Sir, I would only like to submit that once we saw the former Prime Minister and requested him to make such a change in the tariff policy as would benefit the people The Hon'le Revenue Minister then said that the tariff in the State is not protection tariff, but revenue tariff. He stated that it had not been fixed with a view to afford protection to some particular industry but only to increase the revenue. As long as the present customs policy of the Government continues to be as it is no industry that is started can ever be successful here. The Government makes the claim that it wan.s to protect industry and to remove unemployment. These claims cannot be accepted so long as there is no change in the present tariff policy.

Our Government lags behind none in making it clear that it will spare no effort in industrializing this country. When it come to taking a practical step our Government is the last of all I therefore deem it necessary to support the resolution of my learned friend Mian Ahmed Yar. I would like to tell the Government that its present tariff policy will not allow any industry to succeed ; nor will unemployment ever be banished from this country A year and a half ago Lord Willingdon the then Viceroy of India. in the course of a speech remarked that when disgusted M. As. and B. As. fail to secure any work they take to bad ways and cannot be reclaimed later. My friend Mr Kak has invited the attention of the Govern-

ment to the increasing unemployment in the State. This unemployment is dangerous. I know my responsibilities and while fully aware of them I would like to say that I get enough time to move among the people. I know their condition very well. I would therefore like to tell the Government that if it does not take some practical step to remove unemployment, a great danger looms ahead Through you, Sir, I would request the Government, to devote special attention to this problem. Steps to afford protection to infant industries in the State and to remove unemployment should also be taken There are no means of livelihood today for the educated unemployed. Their only work is to go one day to the Hon'ble Prime Minister and the other to the Hon'ble Finance Minister and ask them for a job of twenty or twenty-five rupees.

It is important to promote the industries here. As long as the present customs policy is not revised that will be impossible of achievement. With these words I therefore support this resolution.

RAI BAHADUR PANDIT AMAR NATH PURBI: Sir, I am sorry that.....

MIRZA M. A. BEG: Sir, is he speaking on behalf of the Government?

RAO BAHADUR THAKUR KARTAR SINGH JI: As a representative of the Chamber of Commerce

RAI BAHADUR PANDIT AMAR NATH PURBI: I am sorry that the mover has presented this token cut because he wants a change in the tariff poliey of the Government.

MR. GHULAM MOHAMMED SADIQ: Is he representing the Chamber of Commerce here?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): He is only a nominated member.

RAI BAHADUR PANDIT AMAR NATH PURBI: I am sorry that instead of discussing a principle, it has been said in the House that land-revenue has not increased. Only income from the Customs Department has increased.

MR. GHULAM MOHAMMED SADIQ: I question it.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): He said that land-revenue has been brought to the same extent as customs revenue.

RAI BAHADUR PANDIT AMAR NATH PURBI: Trade can prosper, customs income can also increase proportionately. How on the other hand can land-revenue increase. Land cannot increase. No one can increase it; unless perhaps it increases in the Kashmir valley The little improvement that was possible to be made in land has already been effected Nautor has also taken place wherever possible The land-revenue has therefore gone up to its maximum.

It has been asked how the income from the Customs Department has increased so much. I can reply that question.

I was connected with this Department for a long time; and I was an officer in that Department for a period aqual perhaps to the age of the mover. I can therefore tell you the reasons for this increase in income.

There was a time when people who got salt worth rupees two hundred into the State would import it by force of lathis. Customs officials would be beaten and they would fly. So poor was then the condition of the people whose representatives are here today. There is difference between revenue as it was then and as it is now because trade has been centralized now. Taxes are now realized in a scientific way. The revenue has therefore increased. If the customs revenue has increased in this way you should all be grateful. Instead of that you ask why there has been an increase in the customs revenue.

MR. M. A. BEG: Very well. Thanks. (Laughter)

RAI BAHADUR PANDIT AMAR NATH PURBI: There is another point worth mention. It has been emphasized here that we are increasing the revenue tariff. If your income is not increasing correspondingly, how is it that you are now able to bear it.

MR. M. A. BEG: Because of oppression.

RAI BAHADUR PANDIT AMAR NATH PURBI: Is it oppression that you wear four pairs of Socks? Is it oppression that you use four different pairs of Shoes? I mean to say that the prosperity of the people has increased. They are able to pay according to this enhanced tariff rates.

MR. M. A. BEG: And hence this customs policy here.

RAI BAHADUR PANDIT AMAR NATH PURBI: There is another misunderstanding here in this connection. I would like to submit that many persons raise objections; but they do not collect the necessary information. May I know if more than 6 per cent. customs duty can be charged in Hyderabad. Similarly is it possible in other States to change their fixed tariff?

MIAN AHMED YAR: Quote the law, please.

RAI BAHADUR PANDIT AMAR NATH PURBI: If they had the power of changing their tariff and increasing it from 6 per cent. or 8 per cent. to 25 per cent. they would certainly do it. They would not leave off revenue procurable so easily.

Tariff is fixed on some principle. It is not done haphazard. It cannot be that if a person is seen with a loin-cloth on, some body says that his cloth should be exempted; or if there is another person who eats pulses somebody says that pulses should be exempted from duty. This cannot be. Tariff is changed according to some principle. It would have been better if my esteemed friend, the mover of the resolution, instead of taking action against the

Government or against (*a*) or (*b*), had laid down some principle for fixation of tariff.

It is affirmed on one hand that the tariff is high and on the other hand that there are no protective duties. The increase of customs duty is the only method of protecting industries all over the world. I have said all that I understand or feel.

One gentleman has referred to the export duty.

There are older and more experienced men than myself here. They must be aware that once a rumour was started that fruits would be taxed. People at once began to hew down their fruit trees.

A VOICE: That was oppression.

Therefore the Government levied an export duty on fruit because fruit trees were not liable to assessment.

The tax on leather has also been objected to. The House ought to know this tax is also of a protectionist nature so that leather may be tanned here and leather goods manufactured locally. There is a confused criticism in the House and so I fail to understand the object of it. You will excuse me if I repeat that I fail to understand what they mean by this criticism.

VOICES: You feel this difficulty because you have been here only for a short time. (Cheers)

MR. M. A. BEG: You are known to the House.

RAI BAHADUR PANDIT AMAR NATH PURBI: When a person goes to visit a city for the first time, he feels that there are many things new about it. He meets various people and has an exchange of ideas with them. He hears their talk and comes to know about things. Since many speeches have been made here at this time from the various quarters of the House, I have at once got acquainted with facts. I would submit that the tariff here is the same as obtains in British India. If you agree that those tariff rates are worth being copied, you will have no objections against the tariff that has been fixed here. With these few words I oppose this resolution.

SARDAR DHIAN SINGH: I was surprised to learn today why it has been the Government policy to increase the tariff. From an old officer of the Customs Department we have learnt that tariff was enhanced in proportion to an increase in the volume of trade. It has also been stated that the person who previously used to have only one coat has four now. People are crying, weeping, and dying. Give us one instance of pity you have shown. Even pulses or common salt are subject to duty. Only the other day the Hon'ble Prime Minister stated that the import of tincture is increasing. More than cent. per cent. duty has been levied on such articles.

SHEIKH ABDUL HAMID: Sardar Sahib you can use the old Indian medicines.

SARDAR DHIAN SINGH: The necessaries of the zamindar's life have also been subjected to an increased rate of duties. As an instance I will mention the case of the former Customs officer in Poonch Keeping in view the local conditions he has fixed the duty for Khaddar and Susi cloth at Rs. 1/2/- per cent.

But the Customs officers who come to Poonch from the State have increased the duty on these necessaries of the life of the zamindar to 10 per cent. This is the attitude of the State Government. They want to increase the taxes in every way. You can easliy judge the difference between a State and a Jagir. I support this resolution and would request that it be passed.

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary to the Government): I wish to clear certain misunderstandings on the point which unintentionally have crept in the remarks made by the hon'ble member for the Chamber of Commerce. First is about the Advisory Board on the Customs. The hon'ble member who made mention of Advisory Board knows that a few months ago for the Customs Department an Advisory Board was constituted. He had a long discussion with me on that subject and I told him that nowhere in the world is any institution of the type of the Advisory Board as proposed to be entablished here. There has been a misunderstanding in understanding of the functions of the Tariff Board which is from time to time appointed in India. That Taiff Board does not deal with the tariff but deals with certain commodities only specified in terms of reference by the Government of India to them and after they have finished their enquiry with regard to that particular commodity and made their recommendations to the Government that Board ceases to exist automatically and it is for the Government to accept or reject those recommendations.

MIRZA M. A. BEG: May I know whether the Industrial Commission of India recommended the appointment of the Tariff Board ?

RAI SAHIB PANDIT RAM CHAND KAK: It was rejected by the Government. A Tariff Board is meant to give protection to a particular industry. Whatever the reason may be it is not an institution which goes into the Tariff item by item and recommends that in such and such case the duty on a particular commodity may be reduced or increased, and it is not possible that any Government in the world would countenance creation of such a Board for such obvious reasons and I hope that hon'ble member knows those obvious reasons as well as I do. Then a remark was made by another gentleman about collusion between customs officers and traders and loss of revenue resulting therefrom. I remember once there used to be, I do not know whether there still exists an Efficiency Commission of which Sir Barjor Dalal

was president and as Inspector General of Customs I was required to submit my remarks on the work and conduct of every officer (non-gazetted executive officers) in the Customs Department. I had a discussion with Sir Barjor Dalal at that time on the subject. He asked me whether I could give an assurance that there was no corruption in the Customs Department. I could not say that there was no curruption in the Customs Department. On the other hand I would say that the Department being as it is and its work being scattered all along the border over hundreds of miles and there being little possibilities of inspection from the higher officers it was very creditable that there was so little corruption. I gave an instance which Mian Ahmed Yar will appreciate and that is of the customs post at Dub. Dub is a place about ten miles from Muzaffarabad situated on the top of a mountain on one side and on the other side is Tehsil of Muzaffarabad. The staff posted there consists of one Mahaldar and two patrol guards. The revenue collected there is approximately Rs. 5,000 a year. Now excepting for monthly inspection from the Deputy Inspector Customs at Domel there is no possibility whatsoever of carrying out any kind of supervision over it and Customs Department differs from other Departments in this respect that whereas in other Departments it is easy to prove dishonesty, in this Department it is very difficult to do it. Take the case of Land Revenue Department. If a Patwari or Naib-Tehsildar does a thing which is not right or proper, well, the subject-matter of the complaint exists. In the Forest Department if there is a complaint the forest is there. You know it is not so in the case of Customs Department. The moment an importer passes his goods there is no hold on him He belongs to a place not known to the Customs Department. The Customs officer who has collected duty from him is not aware of his whereabouts, name and the parentage, and so in that case there is very little chance to prove such things.

If the Government officer is dishonest there is very little possibility of removing that dishonesty. Therefore if you find that there is so little dishonesty in the Customs Department and the revenue of that department is increasing by leaps and bounds, the credit goes largely to the efficiency of the establishment of the Customs Department.

MR. M. A. BEG: How is it proved?

RAI SAHIB PANDIT RAM CHAND KAK: I have proved it by the facts and figures that the revenue of the department is going up and there is little complaint. In fact the position is that the complaint is so little that it amounts to nothing. Further I will mention one particular instance to show why the Customs Department is not to blame as the same department imposed restrictions

of dishonest persons who were, I won't say, responsible, but had considerable advantages by giving wrong declarations as they were bound to give such declarations at the customs house. I know a case and a very important one how a contract for supply of boots was placed by the State Millitary Department with a certain gentleman. Well, the order was placed by the said gentleman with some other firm abroad for supply of boots to the department concerned but it was subsequently found that the declaration which was given at the customs post at Tawi as regards the price of the goods that was paid over was very much less than the price that was charged. It is the Customs officers alone who unearthed all this.

SHEIKH MOHAMMED AMIN: Was there any difference between the actual buying price and the price entered in the invoice.

RAI SAHIB PANDIT RAM CHAND KAK: The actual Bichak was also wrong.

SHEIKH MOHAMMED AMIN: I doubt that.

RAI SAHIB PANDIT RAM CHAND KAK: Well, that is a matter of opinion. The difference between the price charged and the price declared in the Bichak was 100 per cent.

It has been repeatedly stated both when this present question was discussed and this morning also that the increase in the Customs revenue is due mainly to the increase in the tariff in the British India which increase has automatically been adopted in the State. It is not denied that there is some truth in this. On the other hand what is overlooked is the tremendous increase in the tourists traffic in the State. Instead of perhaps two thousand persons, I have not got the definite figures here at the moment, just possible it may be more, we have over 23 thousand persons now. And a good deal of the goods that are consumed by them are of the standard which usually are not consumed by the inhabitants of the place. The majority of the goods that are imported for consumption by the tourists are imported from the overseas and I give the figures from memory. But I believe that I am right in saying that in 1910 the revenue from refund of duty on bonded goods was under two lacs of rupees. I believe it was one lac and seventy-five thousand.

KHAWAJA GHULAM MOHAMMED SADIQ: Is there any time limit?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Yes, 15 minutes.

KHAWAJA GHULAM MOHAMMED SADIQ: I think 15 minutes have passed.

RAI SAHIB PANDIT RAM CHAND KAK: In 1910 it was under two lacs of rupees. In 1935 it was thirty-three lacs. Well the difference of 31 lacs is not due to the imposition of any extra-ordinary tariff by the Customs Department or by the State administration. It is the refund of duty granted by the British

Government on goods imported by people here and which are of the kind which is not usually produced in India. The increase under these goods amounts to about seventeen hundred per cent.

Then again a question has been raised that this State should also follow the policy which the Punjab Government is alleged to be following namely that the Government should deal with the employees on the basis of reputation There may be something which may be said in favour of this but on the other hand there is a good deal against this. And that is for some time past the feeling between the communities and sections of the communities is embittered. It is impossible to base any conclusion on the basis of reputation. I know a case which also pertained to the Customs Department. It is that one Customs officer was murdered at Ramkot and as far as I know a certain community in the State uttered a different story and in fact published defence in exoneration of the murderers. Well, if you can go so far as you can justify murder there is nothing to be said in favour of your suggestion that the Government should base its actions on the reputation rather than on the bare efficiency.

MR. M. A. BEG: Were they convicted ?

RAI SAHIB PANDIT RAM CHAND KAK: That is a different matter but this is a fact that the murder did take place and the State in recognition of his self-sacrifice and faithful discharge of duty did give to the survivers of the deceased a considerable amount of money.

MR. M. A. BEG: That might be a fact, but you are referring to communal feelings. We also have had a soft corner for the gentleman who was unfortunately murdered but to give this question a communal tinge is not proper.

MR. G. M. SADIQ: And especially when the member is replying on behalf of the Government.

RAI SAHIB PANDIT RAM CHAND KAK: In particular newspapers it was so stated.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt): Do not refer to that matter.

RAI SAHIB PANDIT RAM CHAND KAK: As regards Poonch Tariff, you have heard that Poonch Tariff was certainly lower but unfortunately it was found that as a result of low tariff goods were imported from the Punjab in the Poonch jagir direct and were re-exported into the State and sold at lesser price than the State traders could afford to charge. I think Wazir Sahib of Poonch will agree with what I have said. That is all I have to say.

LALA HANS RAJ: Please speak in Urdu.

A VOICE: Your request has been rejected.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Does anybody want to speak about the resolution?

LALA HANS RAJ: Sir, I support this resolution and would submit that I have understood all the speeches except the one just made in English. It was stated that if time permits its summary would be read out in English. Now I learn it was about customs duty. We have told you about all the complaints that we have against the Customs Department, and submitted to you everything in this connection.

I would submit that taxes are on the increase in the State inspite of the financial position of the people. The salaries of officers are also being increased. Why are customs duties enhanced and officers paid increased salaries? In other words an increase in the customs duty means an increase in the salaries of officers.

I remember an incident. A high officer was sitting at home when he received a message that his salary had been increased. He was surprised how his pay had been increased. He was just thinking of this when he received the order too.

It was learnt later on that his increase of pay was due to a royal favour. When other officers heard of it they remarked that since a favour had been shown the salaries of all of them ought to have been increased. Therefore it was naturally thought that since the pay of one officer had been increased the pays of others should be increased. In this way the salaries of many other officers were also increased.

The point is that funds from the State exchequer are not distributed evenly. One cannot know what an increase of pay signifies. Rates of duties are enhanced Income is thus increased; and the object is the payment of enhanced salaries. Money is realized from the public and used in paying huge salaries. There is feeling for the poverty, the troubles, the helplessness, and the oppressed state of the people. With difficulty these poor people collect the money for the payment of their taxes. But this money is not properly spent. I do not want to take much of the time of the House. I would only submit that a resolution for the abolition of the duty on salt has been tabled and is now under consideration. If that resolution is accepted the poor stand to gain. It is a fact and I would submit that only a measure of collective help can profit the zamindars. It should be considered how their ills can be cured and contentment brought about. Hon'ble members made good speeches advocating the cause of bettering our country They stated that many articles can be produced in our country; that the produce can increase and the people live contented lives. Mere increase in salaries cannot confer any particular good.

I therefore support this resolution.

MIAN AHMED YAR : Sir, two speeches were made in the beginning in this behalf by the Government. About one of the speakers the Hon'ble Finance Minister remarked that he has been nominated in his capacity as President of the Chamber of Commerce though such a nomination is quite contrary to the recommendations of the Glancy Commission. In its recommendations about nominations the Report says that when the representatives do not stand to gain by nominations the Government can nominate any of its officers. It is a matter for surprise that the President of the Chamber of Commerce, in spite of that proud office, should still have the views of a retired officer of the Government. A fish out of water and on sand is uncomfortable

So too the present position is uncomfortable and in fact objectionable for this gentleman who has spent all his life in making the aims and objects of the tariff policy and the Tariff Board a success. His outlook is different ; and he wants to run everything in a rut. He has also stated that other States have not got the right of increasing their tariff.

In 1936 the Hyderabad State in view of the depressed financial condition of its people remitted a lac of revenue. There was damage to crops and taqqavi loans were advanced. The customs duty was also reduced to a large extent. I have not got the report with me just now. I would otherwise have told you of the steps which other States have taken in this direction. There is no record of the Government of India to prove that a State cannot levy more than 5 per cent. customs duty. The fact is that they can increase it to 25 per cent. and they have got the power of increasing their duties. It is generally said that an enhanced tariff means an increased income. But the income of the people has also to be kept in mind. It cannot be ignored. Here the tariff has been increased and the income of the people not taken into consideration. No proportion has been maintained in increasing land-revenue. From forty-four it has now been increased to sixty lacs. The Customs income has been increased from twelve to sixty lacs. This can in no way stand comparison with any other State. The tariff and other taxes are increased side by side. If the Government keeping in view the condition of the people increased the taxes to some extent it would be justified. So many unnecessary items of expenditure have been included that it seems as if the State has to wage war against a great calamity, for which large capital is needed. It has also been said that the income of the people has increased. But I would submit that the people of the State are very poor. The facts about the produce of agriculturists can be clear from the "Lal Katab" of the Revenue Department.

The land produce has decreased. The people are so poor that they have not got the means to buy clothes for covering their bodies. The women have only two Chaddars which they make use of by turns. The income of the people has really not increased. Mr. Purbi has stated that in order to avoid payment of customs duties people would even make use of sticks. During his term of Inspectorship he had a quarrel with an Englishman near Kohala not with any zamindar. No zamindar makes use of sticks in order to avoid customs duty. Mr. Kak has gained experience in England too. He did not say how Advisory Boards are constituted there; nor what the tariff policy is. He has mentioned Pt. Lassa Kaul; but I would like to say that even now people regret that cruel murder. Pt. Lassa Kaul pursued the culprits and went three miles out of the State boundary where he was murdered. This is no communal question. All praised his bravery and strong sense of duty. Even now people think of him with respect. It is not correct to say that this murder was prompted by any communal considerations. The police here tried to give it a communal colouring and implicate innocent people. The real murderer belonged to a different territory. Even now irrespective of creed or caste people condemn the murder of Pt. Lassa Kaul. Perhaps since his return from England Mr. Kak has now adopted the policy of divide and rule; though the Hon'ble Prime Minister says that communal tension should be eradicated from here. I would say that the eradication has already taken place. Now the only question is of bread. When that is supplied communalism will vanish. The attitude adopted by the Government towards my motion is condemnable. I would request the Government to change its policy.

THE HON'BLE RAO BAHADUR THAKUR RARTAR SINGH JI: Sir, if the House carefully considers everything it will reach the conclusion that the tariff here is not high. Mian Ahmed Yar has referred to 1972. I should like to know how many ties, collars, etc. were imported then? What quantity of medicines was imported then from British India and what quantity is imported now? In 1972, Local Hakims would receive preference here. Most people did not like allopathic treatment. Upto 1972 very few medicines were therefore imported. Now that import is on the increase and a rise in customs duty is therefore not a thing to be surprised at. Take again the case of other British goods. The import of British goods (ties, collars etc. are included in this) has increased to such an extent that in 1910 income of the Customs Department from this head came to two and a half lacs and in 1938 to thirty-two lacs. During twenty-five years there has been an increase of thirty lacs. The reason is that more goods are imported now and customs duty has naturally increased. The tariff is not high, we have copied the Government of India tariff with the exception

of the special schedule.

I would also submit that Mian Ahmed Yar has asked why the salaries of officials have been increased. He does not consider that meagre salaries cannot create honesty. A peon gets rupees ten as his pay. If he gets a bribe do you think that he will not accept it in order to make the two ends meet. I can tell you of the case of a respectable gentleman. He concealed goods worth three hundred and fifty rupees in his bedding. In order to avoid the customs officers he detrained at Satwari. He was asked if he carried any dutiable goods. He was upset and said that he had been insulted, and that he was a gentleman. The local officer, the Deputy Inspector felt suspicious and told him that his luggage would be examined. He kept moving here and there in Satwari, but he was not a State servant. The Deputy Inspector regularly examined his luggage and realized rupees three hundred from him as duty. If instead of the Deputy Inspector a meagre salaried officer had been there it would not have been unlikely for that gentleman to bribe him and escape scot free. The Department would thus have lost three hundred rupees. Near the Tawi customs post another gentleman similarly concealed a large quantity of silver in his coat pocket in order to avoid customs duty. On examination duty was realized from him too. Mian Ahmed Yar has also stated that no instance has been furnished of people using sticks to avoid customs duty. I could give many instances. Even murders have been committed, goods are imported on camels which are accompanied by strong groups of people who cannot be stopped even by the guards.

GENERAL JANAK SINGH JI: Once when I was Wazir-i-Wazarat at Kathua all the luggage, except one pair of trousers, of Mr. Purbi, was stolen. (Laughter)

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Under these circumstances it would not be correct to say that the salaries of the staff have been unduly increased. I hope no one will be prepared to support this resolution. In view of the facts and figures I have submitted, I am sure, the mover of the resolution will feel convinced and will withdraw his resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Speeches are over now. Votes will be taken by Division.

The House divided as below :—

Ayes ... 33 Noes ... 33+1 casting-vote.

1. Pandit Jia Lal Kilam.	1. Dewan Bahadur N. Gopalaswami Ayyangar.
2. Pandit Gobind Ram Kabu.	2. Rao Bahadur Thakur Kartar Singh Ji.

3. Pandit Amar Nath Kak.
4. Sardar Dhian Singh.
5. Colonal Abdur Rahman Khan.
6. Pandit Ram Chandra Dobey.
7. Wazir Ganga Ram.
8. Sardar Hari Singh.
9. Lala Hans Raj.
10. Kotwal Lakhmi Ram.
11. Lala Amar Nath Kohli.
12. Bakhshi Moti Ram.
13. Lala Ram Lal Vakil.
14. Kh. Saif Shah.
15. Kh. Sanaullah.
16. Raja Murawwat Khan.
17. Jagat Ram Aryan.
18. Peer Hissam-ud-Din.
19. Choudhri Abdulla Khan.
20. Major Atta Mohammad.
21. Mian Ahmed Yar.
22. Mr. M. A. Beg.
23. Sh. Mohammed Amin.
24. Mr. G. M. Sadiq.
25. Mian Qurban Ahmed.
26. Kh. Akbar Dar.
27. Kh. Ali Mohammad.
28. Kh. Ahmedullah Shahdad.
29. Syed Hussain Shah Jalali.
30. Kh. Ghulam Hassain Malik.
31. Kh. Ghulam Mohi-ud-Din.
32. Subedar Khan Mohammad Khan.
33. Ch. Abdul Karim.

3. Mr. K. N. Knox.
4. Sahibzada Sir Abdus Samad Khan.
5. Rai Sahib Pandit Ram Chand Kak.
6. K.S. Raja Mohammed Afzal Khan.
7. Wazir Feroz Chand.
8. Pandit Ram Nath Sharma.
9. Rai Bahadur Jagat Parshad.
10. Rai Bahadur Pandit Amar Nath Purbi.
11. B. Ram Dass.
12. Lala Shiv Nath Nanda.
13. Sultan Feroz-ud-Din Khan.
14. Mr. Tobdan.
15. Kalon Labzeng Schewang.
16. Wazir Mohammed Khan.
17. Major General Janak Singh.
18. Khan Bahadur Thakur Agha Syed Hussain.
19. Wazir Tej Ram.
20. Rai Ghulam Hussain.
21. Rai Sahib Pandit Shyam Sunder Lal Dhar.
22. Pandit Ram Chandra Razdan.
23. Major Thakur Prem Singh of Jandi.
24. Risaldar Thakur Sadhu Singh of Vatala.
25. Munshi Asad Ullah, Advocate.
26. Pandit Lok Nath Sharma, Advocate.
27. Sheikh Abdul Hamid, Advocate.
28. Ch. Abbas Ali, Zaildar of Mirpur.
29. Ch. Abdulla, Zaildar of Ranbirsinghpura.
30. Kh. Abdur Rahim Bande.
31. Kh. Safdar Ali.
32. Wajid Ali Shah.
33. Yebgo Iftikhar Ali.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): The

votes happen to be equal. Thirty-three in favour and thirty-three against the resolution. Now as the practice is that the President always votes for the status quo, I maintain the practice and vote accordingly.

MIAN AHMED YAR : And there is the hollowness of the constitution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Next resolution Pandit Gobind Ram Kabu.

"This Praja Sabha recommends to the Council that a cut of Rs. 100 be effected in the Customs grant ;—

To enable the House to discuss the necessity of exempting school reguisites and ordinary necessaries of life from duty."

PANDIT GOBIND RAM KABU : Sir, I have moved a cut motion for reduction in the Customs grant. A long discussion has already taken place about customs policy. I will therefore briefly submit that the object of my motion is the exemption of the necessaries of life and necessary material for schools from customs duty. The first point in my resolution deals with necessary materials for schools. By these I mean games and science material and stationery. State schools receive grants from the State for this material, but aided schools have got to incur this expenditure out of their funds. In other parts of India fees are a great source of income, not so in the State. In aided schools also the income from fees is very small. Large public collections cannot be made here, and it is upon these collections that such schools depend. It is generally seen that these private schools have not only to pay for these scientific and games materials, but customs duty is charged at high rates on them. It is therefore impossible to open science classes in these schools. I would therefore submit that exemption of these articles from customs duty would be a great facility. It will not mean much loss. There will be a slight fall in the customs income. This can be borne easily by the Government. Then there are the ordinary necessaries of life. Out of these the greatest inconvenience is felt with respect to common salt. A resolution in this connection is already before the House ; and I will not discuss it. Then the question of duty on medicines has been raised. This duty should be exempted Very little time is left now. Members ask me to and I therefore close my speech. I would therefore request that the resolution be passed.

KHAWAJA GHULAM MOHAMMED SADIQ : There is almost no time left now. I therefore support the motion of my esteemed friend without making a speech.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Does any other member want to speak ?

LALA HANS RAJ : Yes Sir, I also support it I would also

submit that it is taken as ordained that the voice of the people is almost like a drumb beat from God. We after all represent thirty-six lacs of people here. The Government should respect what we say. To day we have seen that there was an equal division of votes about one resolution. The Hon'ble President used his casting-vote and the resolution fell through. I support the resolution and would like to know if there is any principle in what is done here.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): If you have got to say anything on the subject please say it.

LALA HANS RAJ: I support it and hope, Sir, that you will consider it.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You support it. Will any one else speak?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Sir, my learned friend has presented his motion in a forceful speech. But the examples of other States have not been given in this connection, perhaps no such requests are made there. Books are already exempt from customs duty.

A VOICE: In Mysore necessaries of life and necessary materials for schools are exempt from customs duty.

PANDIT LOK NATH SHARMA: Perhaps they receive a refund.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: (Continuing his speech) Next the customs duty on medicines was referred to. It was stated that medicines are heavily taxed but the House ought to know that the duty on medicines is a protective duty. It is always asked in the House why Hakims and Vaids are not employed: and why they are not encouraged by grant of scholarships so that they could improve themselves. Naturally a protective duty has to be levied on allopathic medicines so that people may not use them. In our State "Bihi-dana, Nilofar, Kahzaban, Banafsha" are all produced in large quantities. Many good Vaids and Hakims are to be found here. "Rubi-i-Shatut" is also a very useful thing. All use it. If we do not levy a duty on foreign medicines, I believe no one will use the local medicines.

A VOICE: Are medicines produced in our laboratories?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: In Baramulla, Santonine and other medicines are produced. We should encourage that. It has also been said that necessaries of life should be exempted from customs duty. But this has not been explained. Until this is made clear, it is difficult to say on what item a reduction in duty is desired.

A VOICE: It will just be made clear.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Let him, who will make it clear, speak first, then (Laughter).

I will speak afterwards. School requisites have then been mentioned. The speech has not made it clear whether duty should be exempted only in the case of schools or in the case of a college and laboratories too. Nor has it been stated whether only private institutes should be exempted. As long as this is not explained I do not think there is any need to reply. The words of the resolution may please be studied. Under these circumstances no one will be prepared to support it. I therefore resume my seat.

PANDIT LOK NATH SHARMA : The resolution asks for exemption of duty for schools requisites and necessaries of life. I would invite your attention to Rule 70 of the Rules of Business and Procedure. Two different recommendations cannot be made in one resolution. In the last sessions such resolutions were not admitted.

MR. GHULAM MOHAMMED SADIQ : There is a ruling on this point.

PANDIT LOK NATH SHARMA : The issue before the House is .....

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : The best solution would be to take up the point of order tomorrow.

MAJOR GENERAL JANAK SINGH JI : Not tomorrow but day after tomorrow.

The House then adjourned till 9th October 1937.

THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

8TH DAY

(9th October 1937)

BUDGET DETAILED GROUP I

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



JAMMU:

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JAMMU AND KASHMIR PRAJA SABHA.

Saturday the $\frac{\textit{9th October 1937.}}{\textit{24th Assuj 1994.}}$

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces, Srinagar, at eleven of the clock.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the Chair.

QUESTIONS AND ANSWERS.

442. WAZIR GANGA RAM: (*a*) Do Government know that Jammu Province is mostly inhabited by such classes of people who not only have played a great part in laying the foundation of the State but also served devotedly with men and money for the cause of British Government at every juncture, but their economic condition is going from bad to worse day by day?

(*b*) If it be a fact are Government prepared to have an inquiry made into their condition and adopt such protective measures whereby these classes may be maintained and may render services like their fore-fathers?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) The question is vague and unless the member specifies the classes of people referred to and the reasons why he thinks their economic condition is going from bad to worse, it is not possible to give an answer.

(*b*) Does not arise.

WAZIR GANGA RAM: If their details are placed before the Government will the Government consider them?

RAI SAHIB PANDIT RAM CHAND KAK (Chief Secretary): Yes the Government will consider them.

443. WAZIR GANGA RAM: Do Government know that finding the Government inclined towards the development of Industries most of the youngmen are prepared to get training in this line on their own expenses provided Government gives them an assurance that after the completion of their training they would be given reasonable facilities in the matter of Government service of starting different Industries?

If reply be in the affirmative, are Government prepared to grant such facilities?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): *1st part.*—Yes.

2nd part.—Under the Aid to Industries Regulation No. 9 of 1992, all reasonable facilities and assistance are being given to properly trained and deserving hereditary State-subjects who apply for such assistance and facilities.

444. WAZIR GANGA RAM: Do Government know that at the time of Settlement, the time of the payment of the instalments of land-revenue for the harvests of "*Kharif*" and "*Rabi*" is fixed after regular inquiry, but this year in most of the Tehsils of the Jammu Province, the collection of land-revenue began much earlier than the fixed time whereby the zamindars were put to great trouble?

If the reply be in the affirmative, then the reasons thereof may kindly be stated?

Are Government prepared to make good the loss which zamindars had to suffer on account of it? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): *1st part.*—Yes.

2nd part. The recovery of land-revenue instalments was started on proper date. Certain Lambardars of Tehsils Kotli, Kathua and Jammu have of their own accord remitted the amounts due from the Illaqas a little earlier.

The other parts of the question do not arise.

445. WAZIR GANGA RAM: Do Government know that if the people whose lands are situated by the side of the P. W. D. desire to effect buildings thereon, they are not permitted by the P. W. D. to do so within 25 feet from the road, notwithstanding the fact that no compensation is paid to them for this area?

If the reply be in the affirmative, will the Government please state what are its reasons and are Government prepared to issue orders that under such circumstances such persons should be given reasonable compensation by the P. W. D.?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN (Home Minister): No structures can be built within 25 feet from the centre of the road under rules and compensation is paid for the land which may be actually acquired for road purposes.

446. WAZIR GANGA RAM: (*a*) Do Government know that the Punjab and U. P. Governments have established a Board for reforming the Police?

(*b*) If reply to (*a*) be in the affirmative, will Government please appoint a Board for reforming the Police in this State?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) No.

(*b*) Does not arise.

447. WAZIR GANGA RAM: (*a*) Is it a fact that there is no school in the villages of Dalhot, Dhanwan, Patra, Panjara and Chetan Pura of Rampur Rajouri Tehsil?

(*b*) If the reply to the above be in the affirmative, will Government please issue orders for opening a school in the village Dalhot which is in the centre of this *Illaqa* ? If not, why not ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The question will be placed before the Education Standing Committee.

448. PEER HISSAM-UD-DIN SHAH : (*a*) Is it a fact that a non-hereditary State subject is temporarily working as veterinary assistant ?

(*b*) If the answer to this be in the affirmative, is Poonch administration prepared to send some Muslim youngman on State expense for veterinary training ? If not, why ?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) Yes.

(*b*) One Meer Badar-ud-Din has already been deputed to the Punjab Veterinary College for training at the Illaqa expenses.

449. PEER HISSAM-UD-DIN SHAH : During the last session of the Praja Sabha in reply to Q. D. No. 668 regarding the playground of the Islamia School it was stated that correspondence is going on with the Private Department. Will Poonch administration please state what has been the result of this correspondence ?

WAZIR FEROZ CHAND : The matter is still under correspondence with the Private Department of Sri Raja Sahib Bahadur.

450. PEER HISSAM-UD-DIN SHAH : During the last session of the Praja Sabha in reply to Q. D. No. 651 regarding the construction of the Lachman Patan bridge it was stated that the construction of piers will be taken up soon as permission is granted by the British Government for acquiring land.

Will Poonch administration please state whether the permission to acquire land has been received and whether the construction of piers has been undertaken or is this matter still under consideration?

WAZIR FEROZ CHAND: The Praja Sabha Sad is referred to reply to Q. D. No. 25 of Subedar Khan Mohammed Khan of this session.

451. PEER HISSAM-UD-DIN SHAH : Will Poonch administration please state when will the Kapdar and Dhal Kot bridges be constructed ?

WAZIR FEROZ CHAND : The Praja Sabha Sad is referred to reply to Q. D. No. 26 of Subedar Khan Mohammed Khan of this session.

452. PEER HISSAM-UD-DIN SHAH : (*a*) Is it a fact that Sri Raja Sahib Bahadur Poonch had thrown open thirty-four Game Rakhs, the area of which is about 17,591 Kanals of which two-thirds has been reserved as *Nautor* for the zamindars ?

(*b*) If the answer to part (*a*) be in the affirmative, will Poonch administration please state how many Kanals of land have been granted to the zamindars up to this day as *Nautor* out of the

Game Rakhs that have been thrown open ?

WAZIR FEROZ CHAND: (*a*) Yes, 46 Game Rakhs measuring 2870 acres were released for *Nautor*.

(*b*) 176 kanals of land has so far been granted to zamindars as *Nautor*. The zamindars do not seem to be anxious to take land from the Game Rakhs for cultivation purposes as they do not like to pay the price of the trees standing thereon.

PEER HISSAM-UD-DIN SHAH: What was the rate per tree in the past and what is now in the Game Rakhs which were thrown open for *Nautor* by the zamindars ?

WAZIR FEROZ CHAND: A notice should be served for it.

453. PEER HISSAM-UD-DIN SHAH: During the last session of the Praja Sabha in reply to Q. D. No. 229 regarding the opening of a middle school for girls it was stated that the question is under consideration. Will Poonch administration please state, how long will this matter remain under consideration ?

WAZIR FEROZ CHAND: It is not possible to take any steps in this connection until the finances improve.

454. PEER HISSAM-UD-DIN SHAH: During the last session of the Praja Sabha in reply to Q D. No. 652 regarding the construction of bridges on *Nallahs* Butiar and Chak Katru, it was stated that bridges have been constructed over each of these *Nallahs*. Will Poonch administration please state what expenditure has been incurred on the construction of these bridges and whether the people with their cattle and pack animals etc., can cross these bridges without any risk or danger ? If the answer be that the bridges are not so strong, then, is Poonch administration prepared to construct strong bridges on each of these dangerous *Nallahs* ? If not, why ?

WAZIR FEROZ CHAND: A sum of Rs. 800 approximately has been spent on the construction of bridges over Betar and Chak-Katroh *Nallahs*. As to Betar *Nalloh* bridge cattle cannot cross over it. It may, however, be stated that during the rainy reason when this *Nallah* is in flood the zamindars with the cattle generally remain in Dhoks and it is seldom that cattle have to cross this *Nallah*. It is easily fordable almost throughout the remaining part of the year. As to Chak-Katroh bridge, it may be stated that the people can cross it with their cattle and pack animals etc.

In view of the above the last part of the question does not arise.

PEER HISSAM-UD-DIN SHAH: Is it the same bridge from which a woman stumbled and died ?

WAZIR FEROZ CHAND: Notice is required for that.

PEER HISSAM-UD-DIN SHAH: Who are those villagers who with their cattle and pack animals pass over this bridge.

WAZIR FEROZ CHAND: A notice is required for it.

PEER HISSAM-UD-DIN SHAH : Will this bridge be not given in the charge of the Public Works Department ?

WAZIR FEROZ CHAND : This is already in the charge of the Public Works Department.

455. PEER HISSAM-UD-DIN SHAH : During the last session of the Praja Sabha in reply to Q. D. No. 654 it was stated that in the five departments excepting the lower posts there is preponderance of non-Muslims and that the proportion of pay of the Muslims and the non-Muslims is as two is to five. Is Poonch administration in a position to say if from the last session to this there has been any decrease in the preponderance of non-Muslims in the services ?

WAZIR FEROZ CHAND : No permanent or sub-protempore vacancies occurred in any of the four departments mentioned in the question, excepting that of a Dressor in the Medical Department on which a Mohammedan has been appointed.

456. PEER HISSAM-UD-DIN SHAH : During the last session of the Praja Sabha in reply to Q. D. No. 644, regarding the opening of an Intermediate College in Poonch it was stated that the matter is under consideration of the Poonch administration. It may please be stated since when has this matter been under consideration of Poonch administration and how long will this matter remain so ?

WAZIR FEROZ CHAND : The question of the opening of an Intermediate College in Poonch was moved for the first time in 1991. There does not seem any necessity at present of opening such a College, nor is it possible to consider this question on account of financial stringency.

457. PEER HISSAM-UD-DIN SHAH : (*a*) During the last session of the Praja Sabha it was asked if a large population of the villages every year falls a prey to several diseases and whether the Poonch administration will open dispensaries at Mandi, Sohiran, Sehra, Kahouta, Thakian, Pravah, Dher Kot. Regarding this matter in reply to Q. D. No. 650 it was stated that the general health of the people of Poonch is satisfactory. Will Poonch administration supply the figures of patients for Har, Sawan and Bhadon 1994 from the registers of the Saddar Hospital and say how many patients got medicines from the Hospital during the last three months and that in the face of this list is not the reply of the Poonch administration incorrect ?

(*b*) Will Poonch administration keeping in view that a large part of the population of the villages of Poonch fall a prey to several diseases open dispensaries at Mandi, Soharan Sehra, Kahouta, Thekala Pherva, Dherkot.

WAZIR FEROZ CHAND : (*a*) The number of out-patients who

attended the Saddar Hospital for getting medicines is as follows :—

Name of month.		Number of patients
Har	...	4976
Sawan	...	12342
Bhadoon	...	17336

NOTE.—The above number of patients mostly comprises of those who suffered from Malaria which has broken out in the Illaqa in a very acute form this year. The last part of the question does not arise.

(*b*) In view of the fact that there are Dispensaries in the Town, Dharamsal and Bagh the question of the opening of new Dispensaries at the places mentioned in the question, which do not lie at a distance of more than 20 miles and in certain cases not more than 12 miles from the existing Dispensaries cannot be considered at present, especially due to financial stringency. However, when any disease appears in an epidemic form necessary steps are atonce taken to distribute medicines by engagement of extra staff and purchase of extra medicines.

PEER HISSAM UD-DIN SHAH : Will new dispensaries be opened in the future or not ?

LALA RAM LAL VAKIL : A supplementary establishment has been engaged but what has become of the villages ?

WAZIR FEROZ CHAND : The establishment has been engaged for the villages.

LALA SHIV NATH NANDA : (*a*) Is it a fact that those committees of Jammu and Kashmir which were appointed to investigate the State subject certificates have since long finished their work ?

(*b*) If the answer be in the affirmative, will the Government please place on the table of the House a complete and detailed list of those certificates which were cancelled ?

(*c*) It may also be stated as to what amount was spent for the purpose ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) 281 certificates were cancelled in all and the names of those persons whose certificates were cancelled were duly published in the Government Gazette from time to time.

(*c*) A sum of Rs. 8050 was spent on the Kashmir Committee. The figures for the Jammu Committees are not available at the moment, but will be supplied later, if required.

459. LALA SHIV NATH NANDA : Is it a fact that in reply

to my question which was asked as to why there is no lighting arrangement over the Tawi bridge, it was stated that the work of arranging for lights on Tawi bridge has been taken in hand and an order has been placed for a special wire to be imported from Europe and 6 lamps will be fitted there ? If the answer be in the affirmative, will the Hon'ble Home Minister please state whether the wire has reached and whether these arrangements have been made. If the answer be that the wire has not so far been received, it may be stated whether six month's time was not sufficient for the wire to be received here.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Arrangment for lights on the Tawi Bridge has already been made.

460. LALA SHIV NATH NANDA : Will the Hon'ble Prime Minister please state whether the seniority in the different branches of the Secretariat offices is determined separately or collectively ? If different methods are followed in different Secretariats in determining seniority will Government issue orders to the effect that the seniority in all the different branches or sections of every Secretariat be determined according to a definite principle.

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) The practice in regard to this matter is not uniform in the Secretariat offices.

(*b*) Government will examine the suggestion.

LALA SHIV NATH NANDA : When there is one Government, why is it not uniform ?

RAI SAHIB PANDIT RAM CHAND KAK : This is the practice at present, and the suggestion which you have submitted will be considered by the Government.

MIAN AHMED YAR : Is the communal representation kept in view ?

RAI SAHIB PANDIT RAM CHAND KAK : It is a new question.

MIRZA MOHAMMED AFZAL BEG : Is the practice which the Government has kept in vogue in accordance with the Glancy Commission recommendations ?

RAI SAHIB PANDIT RAM CHAND KAK : It is also a new question.

461. LALA SHIV NATH NANDA : Will the Government please state whether it will try to develop an atmosphere of communal cordiality in the State so that amicable relations may be maintained between the Ruler and the ruled and the administration may be carried on smoothly ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : It is doing so and will continue to do so.

462. LALA SHIV NATH NANDA : (*a*) Is it a fact that during the last two years the Government sanctioned Rs. 6,80,000 for

the supply of water in the *Kandi Illaqas* for which a committee consisting of (*i*) the Governor Jammu (*ii*) Divisional Engineer and (*iii*) Revenue Assistant of the *Illaqa* was appointed.

(*b*) Is it also a fact that members of Praja Sabha from that *Illaqa* and other respectable people were also included in this committee ? If the answer be in the affirmative, will the Government please state whether this committee has prepared a list or scheme to spend this sum of Rs. 6,80,000 on such works and which of the respectable people and members of Praja Sabha of the *Illaqa* took part in the preparation of this scheme ? Are these members of the committee considered expert for such works and in there presence the services of an expert who may be well-versed in Geology were not required ? If the answer be in the negative it may be stated whether these works were completed properly and this sum was spent in the proper way and that these works proved useful to the public ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes. But the figure is Rs. 53,000.

(*b*) *Part Ist.* Yes.
Part 2nd. Yes.
Resaldar Major Sadhu Singh.
Sub-Major Daya Ram.
Rahmat Khan.

The help of a Geologist was not considered necessary. The Public Works Department placed the services of an Overseer to supervise the construction and repairs works. The Assistant Engineer and the Divisional Engineer Irrigation also visit the works from time to time and their opinion is always obtained when necessary.

Most of the works in Bhimber Tehsil have been completed and the remaining works are expected to be completed within a month or so. The provision of these wells and tanks is sure to prove beneficial to the zamindars of the *Illaqa*.

463. LALA SHIV NATH NANDA : (*a*) Is it a fact that boy and girl students read together in the Colleges of Jammu and Srinagar inspite of the fact that no orders have been issued by the Government in this behalf ?

(*b*) Is it also a fact that the system of co-education is adversely affecting the morals of the students and the gentry of the State are resenting this system ? If the answer be in the affirmative, will the Government please state whether it will make separate arrangements for the education of girls with a view to check this evil or will grant aid to those people who may be willing to start separate private institutions for female education ? If the answer be in the negative the reasons therefor may be stated ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) Yes. No orders were necessary in this respect when the parents of the girls were keen in getting them admitted into the colleges.

(*b*) No. There are no reasons to believe that the system of co-education is adversely affecting the morals of the students. The other part of the question does not arise. On the other hand the number of girls is increasing.

If a separate private college for girls is started the question of giving a grant-in-aid will be considered.

464. LALA SHIV NATH NANDA : (*a*) Will the Government please state as to how many branches are there in the Finance and Home Secretariates ?

(*b*) Is the seniority in these branches or sections determined collectively ?

(*c*) If the answer to part (*b*) be in the affirmative it may please be stated how many branches and how many sections are there in the Revenue Secretariat and how the seniority is regulated there ?

(*d*) If the answer to part (*c*) be that it is maintained separately, it may please be stated whether the Government will adopt the same principle which is followed in other Government departments thereby doing justice to those officials who have been debarred from promotion by this irregularity ? If the answer be in the negative what are the reasons therefor ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : (*a*) There are three branches in the Finance and four in the Home Secretariates.

(*b*) Yes.

(*c*) There are three separate sections in the Revenue Secretariat *viz.* Revenue English (consisting of 6 branches), Revenue Vernacular and Development Section (3 branches). The seniority of these branches is treated as separate from one another in view of the different nature of work dealt with in these sections.

(*d*) The attention of the member is drawn to the reply to question No. 460 which has just been given.

465. LALA SHIV NATH NANDA: Is it a fact that His Highness the Maharaja Bahadur has granted proprietary rights to the zamindars ?

Is it also a fact that *Wasidars* are subjects of His Highness the Maharaja Bahadur in the same way as the zamindars are ? If the answer be in the affirmative, will the Government please state whether it will grant to *Wasidars* who pay revenue in the shape of ground rent the same concessions as were granted to the zamindars together with the proprietary rights ?

KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN (On behalf of the Revenue Minister) : *1st part.*—Yes.

2nd part.—They are not zamindars and there is no reason why they should be granted proprietary rights.

466. LALA SHIV NATH NANDA : (*a*) Is it a fact that late Pandit Salig Ram Kaul, *Wasidars* Baghander Chattabal was given 8 kanals and one marla of Nazool area on reasonable rent for some special purpose for which a regular agreement was drawn up between the above-mentioned Pandit and the Government?

(*b*) Is it a fact that the amount of the rent was increased after the agreement was drawn up?

(*c*) Is it a fact that Shambu Nath son of the *Wasidar* submitted an application to the Governor against this decision about the above-mentioned area, wherein it has been proved that this area is being used according to the provisions of the agreement and that it is not used for residence but a Press has been set up there? If the answer be in the affirmative, will the Hon'ble Revenue Minister please state as to what amount was fixed at the time of agreement and what amount of rent is being realized for it now? If the rent was increased subsequent to the agreement the reasons therefor may please be stated?

KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes. The reasonableness or unreasonableness of the rent is a matter of opinion.

(*b*) Yes.

(*c*) *1st part.*—Yes. An application was submitted. As appeals and applications in revision in such matters come before the Revenue Minister in a judicial capacity Government cannot say what was or was not proved.

2nd part.—The original rent was Rs. 1/10/3. The present rent is Rs. 69/12/-.

3rd part.—This has been done in accordance with rules for reassessment of such leases.

LALA SHIV NATH NANDA : Will it be stated whether it is not an injustice for the Government to realize Rs. 69/12/- as rent instead of Rs. 1/10/-.

KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN (Governor of Kashmir) : This is in accordance with law.

MIAN AHMAD YAR : What are the reasons of raising so much rent?

KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN ; It is written in the Rules.

467. LALA SHIV NATH NANDA : Is it a fact whether Shamboo Nath Vakil applied on 29th Phagan 1992 for the copy of the report of the Nazool Officer and a copy of the order according to which the area was granted to Pandit Salig Ram and that only one copy of the order of the Hon'ble Revenue Minister was supplied to the applicant and copy of the report was refused by the

Nazool Officer? If the answer be in the affirmative, will the Government please state whether the Revenue Department can under law refuse, to supply the copy of the orders who is responsible if right to apply for revision is lost on account of the copies having not been supplied to the applicant?

KHAN BAHADUR RAJA MOHAMMAD AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): *1st part.*—Yes.

2nd part.—Copies of orders are issued, but copies of reports are not usually issued, since they are not public documents.

468. KHWAJA AKBAR DAR: Will Hon'ble Home Minister please state (*a*) In what places have the touring dispensary Veterinary Doctors and Lady Doctors toured in the *Illaqa* of Tehsil Pulwama? Did any of these employees tour in Kalar Bamnu, Sangrama, Abhama and Drabgam?

(*b*) Are the tours of these officers limited only upto such areas where traffic is possible? Who will look after those people who are living in *Illaqas* where there are no means of traffic? What preventive steps will Government adopt in this direction? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Only two places Giru and Phakerpura were visited this year by the Male and Female Travelling Dispensary respectively.

(*b*) No. The instructions are that they should travel in the interior of the country as far as possible. As all tehsils have to be visited within a year it is impracticable that every place should be visited?

469. KHAWAJA AKBAR DAR: Is it a fact (*a*) That inspite of their being capable men in the Vaccination Department, the Assistant Inspector Vaccination of Jammu has been recommended for a further extension of one year.

(*b*) If the answer be in the affirmative, will Government disregard such recommendations? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: He has been given only one extension as no qualified and experienced vaccinator was available to fill up his place. This period of extension will be utilised to train a man for the purpose?

470. KHAWAJA AKBAR DAR: Will Hon'ble Home Minister please state (*a*) What are the reasons for appointing an untrained accountant in spite of the embezzlement of several thousands in the office of the Chief Medical Officer?

(*b*) Is it a fact that there being untrained accountants in the offices of the Chief Medical Officers, the late Home Minister had according to the recommendations of the Glancy Commission proposed for the appointment of trained accountants?

(*c*) If the answer be in the affirmative, then, why have

the same untrained accountants been reinstated and made permanent ?

THE HON'BLE SAHIBZADA SIR ABDUS SMAD KHAN : (*a*), (*b*) and (*c*) The present accountants in view of their experience of the work are quite trained and fit to hold the posts. The post were advertised, no suitable candidates were available. Embezzlement was detected in the Saddar Hospital Jammu before the appointment of the present man.

471. KHAWAJA AKBAR DAR : Will Hon'ble Judicial Minister please state (*a*) In the Kashmir Province after the grant of permission for the mortgage and sale of lands, how much agricultural land has been slod upto the present time ?

(*i*) For how much was it sold ?

(*ii*) How many people purchased it ? How many of them were Hindus and how many Muslims ?

(*iii*) How many persons sold their lands ? How many of them were Muslims and how many Hindus ?

(*iv*) How much income did the Government realize under the heads Court Fees, Non-Judicial Registration Fees in connection with the transaction of such land ?

Tehsilwise figures as required in the above parts may please be placed on the table of the House.

(*b*) A statement showing the details of the above mentioned mortgages areas of Kashmir Valley together with the names of the Tehsils and the communities may please be supplied.

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister) : The reply to this question involves a minute inquiry and it is not yet ready. It will be given in the next session.

472. KHAWAJA AKBAR DAR : Will Hon'ble Revenue Minister please state (*a*) What is the criterion for raising the pay and grant of promotion to an individual in the Revenue Portfolio ? Is it merit, seniorty or communal proportion ?

(*b*) If the criterion be seniority, or merit, then, is it a fact that Ganga Singh, Girdawar Qanungo and Ghulam Ahmad Mahjoor both were third class Patwaris and on basis of service and merit Ghulam Ahmed Mahjoor was senior ?

(*c*) If the answer to (*b*) be in the affirmative, why was Ganga Singh Patwari made 2nd class and then first class *Patwari* within one year and later on was at once made Girdawar Qanungo ; thereby superseding the rights of Ghulam Ahmed Mahjoor ?

(*d*) If the answer to (*c*) be in the affirmative, is Revenue Department prepared to cancel the promotion of Ganga Singh? If Government is not prepared to do so, what objection do they have in promoting Ghulam Ahmed Mahjoor to a junior post ?

(*e*) If the criterion for promotion is communal proportion, then it may please be stated, what is the percentage of Sikh and Muslim Girdawars and what is their ratio to their population in the Kashmir Valley ? Is Government prepared to adjust the representation of Girdawars to their communities ? If not,, the reasons therefor may please be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : (On behalf of the Hon'ble Revenue Minister : (*a*) All three.

(*b*) He was senior.

(*c*) Ganga Singh was an accepted candidate for the post of Qanungo and was promoted to that post on the recommendations of subordinate officers

(*d*) No. If Ghulam Ahmad had any grievance he could file an appeal against the appointment of Ganga Singh according to rules.

(*e*) *1st part.* It is not the criterion.

2nd part.—No communal representation can only be one of the consideration.

KHAWAJA AKBAR DAR: Has seniority been kept in view in this appointment ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: The seniority has been kept in view.

373. KHAWAJA AKBAR DAR: Can Hon'ble Home Minister please state (*a*) What is the distance from Nialo bridge, Tehsil Khas to Baltal ?

Do people go by this road to Ladakh, Kargil and Yarkand and is not this road in a very wretched state ?

(*b*) Is it also a fact that this road is not fit for tongas and cart traffic ?

(*c*) If the answer to part (*a*) and (*b*) be in the affirmative, considering the welfare of the people is it not necessary that this road be made *pucca* so that the people may have some facilities in such a long and distant journey ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : (*a*) The distance from Vailoo bridge (not Nialo bridge) to Bultal is 42½ miles.

Yes, but the road is in a fair condition.

(*b*) Yes.

(*c*) The metalling of this road will receive consideration at proper time.

474. KHAWAJA AKBAR DAR.—Will Hon'ble Revenue Minister please throw light on the following (*a*) Is there any market for wood in Tehsil Pulwama for providing facilities to the zamindars of the village lying in the *Illaqa* of Chirat from Pulwama upwards ?

(*b*) If the answer be in the negative, shall we hope that

in this *Illaqa* on the bank of the river Rameshi at Zagigam a market will be opened?

(*c*) If the answer to part (*b*) be in the negative, reasons for not doing so may please be stated?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: (On behalf of the Hon'ble Revenue Minister): The Hon'ble Praja Sabha Sad is referred to answer given in (*b*) of question No. 942 in the current session.

475. KHAWAJA AKBAR DAR: Is it a fact that (*a*) the claims of the villagers are not considered in the Education Department?

(*b*) If the answer to part (*a*) be in the negative, then is it a fact that Munshi Ali Moh'd a Matriculate son of Ghulam Rasool Bat Lamberdar of Tral Tehsil Pulwama, and Qazi Ghulam Ahmad, F. A., son of Qazi Salam-ud-Din of Hajjin Tehsil Baramulla have many years ago and particularly this year applied for service in the Education Department?

(*c*) If the answer be in the affirmative why have they not been employed so far?

Is Education Department prepared to redress the grievance of these people? If not, why?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) No.

(*b*) and (*c*) Ali Mohammed E. E. of Tral did apply this year, but Qazi Ghulam Ahmad, F. A., of Hajjin did not apply. All applicants cannot be appointed.

476. SARDAR MAL SINGH: Will the Hon'ble Home Minister please state if this order of cancellation one day Bus Service, was circulated to the public for their opinion?

HON'BLE SAHIB ZADA SIR ABDUS SAMAD KHAN: The order was not circulated to the Public for their opinion but it was known that the majority of motor companies were in favour of it. It has now been rescinded.

477. SARDAR MAL SINGH: Is it a fact that Inspector General of Police is the proper authority to issue Driving Licenses to motor taxi drivers?

(*a*) Is it a fact that Inspector General of Police is also empowered to cancel the aforesaid licenses, if so under what law.

(*b*) Will the Government, please invest such powers of cancelling the licenses of drivers, in the hands of courts of law established for the purpose?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN? Yes.

(*a*) The Inspector General of Police is not empowered to cancel a driving licence. He is only empowered to suspend a driving licence for a period of one year under Section 18 (2) of the Motor Vehicles Regulation (No. 1 of 1975).

(*b*) Courts are already empowered to cancel or suspend driving licences under Section 18 (3) of the Motor Vehicles Regulation.

The Government sees no reason to take away from the Inspector General of Police the powers to suspend driving licences for one year. A driving licence is never suspended by the Inspector General of Police as a punishment for a specific offence. In such cases the offender is challaned to the courts. A licence is suspended when the cumulative effect of a large number of Judicial convictions shows that the person concerned is not a fit person to hold a driving licence.

SARDAR MAL SINGH: Can an appeal against the order of the Inspector General of Police cancelling a driver's license be filed with the Hon'ble Home Minister?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: I do not know.

SARDAR MAL SINGH: From whom it may be enquired then?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: You can enquire from the Inspector General of Police.

SARDAR MAL SINGH: But you are his senior officer.

NOTE.—No reply was given.

478. SARDAR MAL SINGH: Will the Government please inform the House (*a*) How much area has been added to the Municipal Limits of the Srinagar city during the last ten years?

(*b*) How much increase has effected in the population of the Srinagar city during the last ten years?

(*c*) How many new houses have been built in Srinagar city during the last ten years?

(*d*) Whether the number of fire stations and its staff has been increased to afford protection against fire to these newly added risks?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI (Finance Minister): (*a*) Boota Shah Mohalla in Ward No. 8 has been included within Municipal limits only this year.

(*b*) The Census figures show that the population of Srinagar City has increased from 1, 39,735 to 1, 73,573 from 1921 to 1931.

(*c*) 11,624 permissions have been granted for construction of buildings etc. since Baisakh 1983 to end of Fasli year 1992-93.

(*d*) There has been no increase in the number of Fire Stations or the staff but the Fire Brigade has been equipped with modern appliances and machinery and brought up on level with the modern Fire Brigades in British India. This enhanced efficiency is expected to cover additional risk if any.

SARDAR MAL SINGH: The statement read by you has not been supplied to me?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI: You will get a copy of it.

SARDAR MAL SINGH: You have written that the Engines have been made according to the new specimen. What do you mean

by that? What is the difference between the old and new ones?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI: The old rotten Engine has been got replaced by a new up-to-date one.

SARDAR MAL SINGH: The first one was a fire engine which was pulled by ten or twelve men.

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH JI: Now your fire engine swims on the boats.

479 SARDAR MAL SINGH: Will the Hon'ble Home Minister please state, what was the number of fire stations and fire brigade staff in the Srinagar city ten years ago and what is the number of fire stations and fire Brigade staff now?

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: A comparative statement giving the requisite information is as follows:

	1983-84.	1993-94.
Fire Stations.	9	5
	Staff.	
1	Inspector	1 Superintendent.
8	Head Coustables.	1 Assistant Superintendent.
88	Men.	5 Station Officers.
		6 Drivers.
		44 Firemen
		1 Clerk.

SARDAR MAL SINGH: The Hon'ble Finance Minister has stated that the population of the city has increased now and a protection is therefore needed. But a decrease of about 50 per cent. has been made in the establishment. What are the reasons for it? Is one engine sufficient for the whole city?

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes, it has been considered more beneficial.

480. CHAUDHRI ABDUL KARIM: (*a*) Is it a fact that land revenue for the area reclaimed from the village *Shamilat* is realized before the Settlement?

(*b*) Is it a fact that if an agricultural area is included in the area inhabited by the people, its land-revenue is realized prior to the Settlement?

(*c*) If parts (*a*) and (*b*) are correct, why is the land-revenue realised for areas reclaimed before the Settlement and why is the land-revenue of the area included in the inhabited area not remitted?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister: (*a*) Yes, land revenue at village rates is assessed on all *Nautors* and is realised from the date of *Nautor*.

(*b*) All agricultural land is assessed at the time of the

Settlement and revenue thereon is charged during the term of the Settlement. If any such land is subsequently built upon by a land-holder, the revenue thereon continues to be charged until it is excluded from the *Abadi Deh* at the time of next Settlement.

(*c*) In view of the replies given to (*a*) and (*b*) above, this question does not arise.

481. CHAUDHRI ABDUL KARIM : Is it a fact that the persons who obtained certificates of being agriculturists before 1984 and which do not contain the words "Hereditary Agriculturists" are regarded to as non-agriculturists ? If it is a fact why should all the sale deeds executed from 1990 to 1993 in respect of the land of agriculturists purchased by this class, not be cancelled ? If not, the reasons may be stated ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : *Ist Part.*--Under the Alienation of Land-Regulations No. 6 and 7 of 1990, certificates obtained before Samvat 1984 can be admitted only if they are attested as being of "Hereditary Agriculturists".

2nd part.—The law is clear and the parties aggrieved can seek redress accordingly.

482. CHAUDHRI ABDUL KARIM : A money lender or other non-agriculturist purchases the land of an agriculturist and derives advantage thereof also, but since under the present circumstances he cannot get it entered in his own name, he gets it entered in the name of another person who belongs to the agricultural class. Will Government please state as to whether that person has done an unlawful act ? If it is an unlawful act, why the sale deeds of all such areas should not be declared void and mutations cancelled ? If not, why not ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The law is clear and any infringement can be dealt with accordingly when any specific case is brought to notice.

483. CHAUDHRI ABDUL KARIM : (*a*) Is it a fact that under the Alienation of Land Act the local officer, that is the Wazir-Wazarat is empowered to order, if he thinks fit, for the redemption of the mortgage on the request of the mortgagor, in case the mortgagee has derived benefit from the mortgaged land for a long time ?

(*b*) If the answer to the above be in the affirmative, can the area which is in the possession of the mortgagee since 1960 or some time after that, not be redeemed ?

(*c*) Can the Government quote before the House any such instance when any competent officer had decided any case like that up to the present day ?

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KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes, if a mortgagor proves to the satisfaction of the Wazir-Wazarat that he has paid the mortgage debt or such proportion thereof as the Wazir-Wazarat has determined to be equitable.

(*b*) No.

(*c*) Does not arise.

484. CHAUDHRI ABDUL KARIM : Will Government please state as to how much land of the agriculturists has been attached in satisfaction of debt and auctioned from Baisakh 1993 to Sawan 1994 and how many cases of auction of the agricultural land are under inquiry and what is proposed to be done in respect of them?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Attention of the Praja Sabha Sad is drawn in this connection to Section 18 of the Land Alienation Regulation of 1990.

CHAUDHARI ABDUL KARIM : My question is that will Government please state whether how much agricultural land has been auctioned in execution of decrees since Baisakh 1994 to Sawan 1994, and how many files of such auction are under enquiry. What is being done as regards to these files. This has not been replied ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Revenue Minister) : Really the answer is wrong.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): An enquiry will be made as regards to this question. A wrong answer has been given. I have kept a note of it.

485. CHAUDHARI ABDUL KARIM : Is it a fact that in the last session of the Praja Sabha, it was stated by the Government in reply to a question that the trees found in the village *Shamilat* area were not valuable ones ? If it is a fact why have these trees not been entered in the names of the zamindars in the mutation registers ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : (On behalf of the Hon'ble Revenue Minister): The matter is under consideration. As at present advised, the Revenue Minister is of opinion that these trees should not he charged for.

486. CHAUDHARI ABDUL KARIM : (*a*) Is it a fact that one can return the unused stamps and claim the refund of the price paid ?

(*b*) If it is a fact what are the reasons for not following this practice in the case of the inhabitants of Mirpur ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Refund of the cost of stamps is governed by the rules in the State Treasury Code (pages 189 to 191) which are applicable to all the localities within the territories of His Highness the Maharaja

Bahadur. The Finance Department is not aware of any case of refund admissible under the rules having been refused to any inhabitant of Mirpur, but if any specific case is brought to notice, enquiries will be made.

487. CHAUDHARI ABDUL KARIM : Will the Government please state as to whether any practical work has been done by the Unemployment Commission so far ?

If they have done any such work, it may be explained ?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister) : The Commission have completed their labours and submitted their report which has been sent to the Press and will be published very shortly.

488. CHAUDHARI ABDUL KARIM : Will Government please state as to whether the zamindars who have suffered a loss in respect of land due to the embankment can acquire the area which has appeared as a result of constructing a dam on a *Nallah* at Mirpur ? If not, why not ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : No. because they have no title under the rules.

489. CHAUDHARI ABDUL KARIM : Will Government please state as to how much fine in respect of the impounding of cattle has been realized from Baisakh 1988 to Baisakh 1994 from the people of villages Hari, Azizpura, Kangra, Sahibchak, Takipura and Nek Tehsil Mirpur, and what amount was realized as such in a period of four years before this ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Rs. 47/4/- were realized from Baisakh 1988 to Baisakh 1994 and Rs. 243/6/- during the period of four years before that.

490. MAULVI MOHAMMED ABDULLA : Is it a fact that the scheme of working plan in the Forest Department is sanctioned by the Council and that it is incumbent on the department to give it a practical shape ? Is it not necessary according to this scheme to remove the diseased trees from the Forest ? Was any lease granted to Dinga Singh and Co. in this connection ? If the answer be in the affirmative, why the Chief Conservator stopped the removal of these trees when these were included in the lease ? Who is responsible for the loss of income due to this of the treasury in this connection ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The answers to the first two parts of the question are in the affirmative. The answer to the third part is in the negative. The remaining questions do not arise.

PANDIT RAM NATH SHARMA (Judicial Secretary) : Maulvi Mohammed Abdulla is not present here.

MIAN AHMED YAR : Sir, you should call each question one by one and if anybody wants to stand for the question, he ought to be allowed.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Will anybody stand up ?

MIAN AHMED YAR : Yes, sir I will stand for him.

491. M. MOHAMMED ABDULLAH : Are Government aware of the fact that the river Visho is a dangerous river which has separated the Illaqas of Kandi Narwa and Tehsil Kulgam ? If the answer be in the affirmative, did the officers and Revenue Department ever inspect it permanently ? If the answer be in the negative, will the Government please consider the scheme of constructing a pucca bridge over it ? If so, when ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : Report in the matter has been called for.

492. MAULVI MOMAMMED ABDULLA: Is it a fact that responsible officers of the Revenue Department should tour in every place in order to acquaint themselves with the social and other conditions of the poor people? If the answer be in the affirmative, it may be stated when did the Governors and Wazir Wazarats tour the *Illaqa* of Narhawao, Tehsil Kulgam ? If the answer be in the negative, why ? Will efforts be made to tour this *Illaqa* in order to improve its condition ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): *1st part.* Yes.

2nd part. The Wazir Wazarat toured in Narhawao *Illaqa* from 12th to 14th Bhadon.

The Governor being occupied with more important matters at Head-quarters has not been able to spare any time so far for this purpose.

493. MAULVI MOHAMMED ABDULLA: Is it a fact that inhabitants of more than 200 villages of *Illaqa* Narhawao Kulgam mostly depend for their maintenance on the cultivation of *Khushk* land? Are Government aware of the fact that this *Illaqa* can prosper on being irrigated by Dauchimarg Kuhl? Are the Government prepared to open up this kuhl? If so, when? If not, why?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): *1st part.* Yes.

2nd part. The zamindars have applied for a new Kuhl called Zagimarg and not Dauchimarg, and the matter is receiving due consideration.

494. MAULVI MOHAMMED ABDULLA : Is it a fact that there is no State Zenana Hospital in the whole of Anantnag Wazarat and innumerable lives are lost for want of medical aid? Are Government prepared to open a Zenana Hospital in this *Illaqa*? If so, when ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: It is regretted that it is not possible to open a Zenana Hospital in Anantnag. The Medical Department is at present concerned with improving the condition of dispensaries and hospitals already in existence which is a more pressing need.

MIAN AHMED YAR: Will more grant-in-aid be given to the mission hospital at Anantnag?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: This matter will be considered.

MIRZA MOMAMMED AFZAL BBG: Do the females deserve more sympathetic treatment than the males? In the State Hospital the males are treated but what sin has the females committed for whom there are no arrangements.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: The question is that the matter is under consideration and when funds permit the arrangements will be made.

495, MAULVI MOHAMMED ABDULLA: Will the Hon'ble Home Minister please explain when the plague spread out in the State and how many deaths occurred due to it? Which of the doctors and Hakims were deputed for the sake of treatment and which of these two were successful and was any certificate granted to such people?

(*a*) Did Haji Feroz-ud-Din also render service in combating this disease and was his treatment more successful? If the answer be in the affirmative, why were the services of Haji Feroz-ud-Din not accepted?

(*b*) Do deaths occur in the *Illaqa* of Kandi due to snake bites? Is it recognised that Haji Feroz-ud-Din's treatment is successful in this behalf?

(*c*) Is the epidemic of syphilis and gonorrhoea rife in the *Illaqas* of Bhadarwah and Kishtwar? Are the services of any Hakim acquired in this behalf? Is Haji Feroz-ud-Din's treatment recognised as successful in this behalf also?

(*d*) Is his treatment of Cholera too recognised as successful? If the answer to parts (*a*), (*b*), (*c*) and (*d*) be in the affirmative, why the services of Haji Feroz-ud-Din have not been acquired?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Plague is said to bave broken out in Jammu for the first time in the reign of the Emperor Jahangir. There were various subsequent outbreaks, the last of which occurred in 1933. The period for which figures of death are required should be specified.

The Medical Department is not aware of the talents of Haji Feroz-ud-Din in the treatment of Plague, Cholera and snake bite etc.

496. MAULVI MOHAMMED ABDULLA: Will the Hon'ble Home Minister please place on the table of the House a statement show-

ing the following: (*a*) The officials who were dismissed or suspended on any complaint or charge? Were these complaints or charges proved true?

(*b*) How many of these officials are such who were reinstated on appeal or application? If the answer to part (*a*) and (*b*) be in the affirmative, were the charges brought against them by the competent officers at that time or the reasons on which they were reinstated based on facts? Is this policy of the Government in reinstating them not prejudicial to its prestige?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Unless the period is specified by the Praja Sabha Sad, it is regretted, it will not be possible to supply the information asked for.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): No body stood for 496. The question lapses.

497. MAULVI MOHAMMED ABDULLA: (*a*) Is it a fact that the Muslim Conference and the general public has submitted complaints to the Hon'ble Prime Minister against the Srinagar Municipality wherein the appointment of a commission was requested on the grounds of serious charges?

(*b*) (*i*) Is it a fact that there are complaints that the President of the Committee has acquired property worth lacs of rupees?

(*ii*) If the answer to parts (*a*) and (*b*) be in the affirmative, what action the Government has taken so far in this behalf? Are Government prepared to appoint a commission? If not, why?

RAI SAHIB PANDIT RAM CHAND KAK (On behalf of the Hon'ble Prime Minister): (*a*) One such resolution was passed by the Muslim Conference at Poonch and a complaint signed by Mr. Sabir Editor of the 'Albarq' together with two of his employees and some other persons was also received. The signatures of most of the persons were reported to be forged. The President Srinagar Municipal Committee has since started a Presecution against Mr. Sabir and his collegues in a Court of Law.

(*b*) (*i*) Government are not aware that he has acquired property worth lakhs.

(*ii*) Does not arise.

MIAN AHMED YAR: What action was taken on the Resolution passed by Conference?

RAI SAHIB PANDIT RAM CHAND KAK: As the complaint is same no action is necessary.

MIRZA MOHAMMED AFZAL BEG: How it is so, when a complaint was sent through Conference as well.

RAI SAHIB PANDIT RAM CHAND KAK: Simultaneously this application was received signed by those people. Action will be taken when we know of the fact.

498. MAULVI MOHAMMED ABDULLA: (*a*) Is it a fact that more than the actual area in some villages has been shown in the

entries in the Settlement of 1974-75 for the reason that no bribe was given ?

If the answer be in the affirmative, will this revenue be refunded to the zamindars of these villages ? Are Government prepared to take action against the officials who are responsible for this ? If not, why ? If the answer be in the negative, why 216 kanals and 16 marlas over and above the actual area were entered in the files of village Bakhshipura Tehsil Khas which having been completed was received in the office of Revenne Assistant on 22nd Chet 1993 ?

KHAN BAHADUR RAJA MOHAMMED AFZAL, KHAN (On behalf of the Hon'ble Revenue Minister): *1st part*. The reasons for wrong entries, if any, brought to notice will be traced.

2nd part.—Excess realisations will, of course, be refunded, if in any case it is found that such excess has actually been realised.

3rd part.—Yes, if any case comes to Government's notice.

4th part.—Enquiry into the matter has been started and suitable action will be taken on receipt of report.

499. MAULVI MOHAMMED ABDULLA: Is it a fact that in order to protect themselves against the provisions of the Agriculturists Relief Regulation the Sahukars have generally adopted the practice of getting affixed the thumb-impression of the simple-minded zamindars on ordinary paper or in the blank *Behi Khata* thereby entering double the amount and filing suits whenever necessary ?

If the answer be in thc affirmatvie, what measures the Government have adopted to check this practice ? If the answer be in the negative, are Government prepared to appoint an Enquiry Commission in order to protect the zamindars ?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister): The attention of the Member asking the question is invited to the reply given to Q. D. No. 36 of the last session.

Enquiry has been made and it is found that no such case has come to the notice of any of the Courts.

If any definite case is cited the Judicial Minister is prepared to hold an enquiry. The appointment of a Commission is not called for.

Q. D No 36 of the last session:- Enquiry has been made and it is found that no such case has come to the notice of any of the courts. Part (*b*) does not arise.

500. YABGO IFTIKHAR ALI KHAN : Will the Hon'ble Revenue Minister please state the reasons why the educated people of Baltistan are not taken in the Government services although in reply to my question of the last session it was promised that in future

the local people of Baltistan would be taken in service in accordance with their qualifications ?

Will the Hon'ble Revenue Minister please state what qualifications guards should possess ?

In the presence of experienced and capable Patwaris who can easily perform the duties of Girdawar, why Patwaris of Kashmir are deputed as Girdawar ? Will the Minister concerned kindly make efforts to provide local educated persons in future ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : *1st part.*—Whenever any vacancies of Forest Guards, Game Watchers, Patwaris and clerks occur in Baltistan they are generally filled up by local people.

2nd part.—No specific qualifications, but physical fitness and general knowledge of local conditions are necessary.

3rd part.—No Patwari from Kashmir, has been appointed as Girdawar in the Ladakh District. The claims of local people are already kept in view when filling vacancies in the Illaqa, provided suitable candidates are forthcoming.

501. YEGBO IFTIKHAR ALI KHAN : Will the Hon'ble Home Minister grant pay to the teacher of the Maktab of village Churse in Illaqa Khaplu as is permissible under rules.

THE HON BLE SAHIBZADA SIR ABDUS SAMAD KHAN : When an application from the teacher is received it will be considered.

502. LALA HANS RAJ : (*a*) Will the Hon'ble Finance Minister please state the total number of posts in the Accountant-General's Department which is located at Srinagar ? How many of them are being held by those persons belonging to Jammu Province ?

(*b*) Do all the posts which fall vacant temporarily or permanently in this Department and which are required to be filled are advertised either in the Gazette or by means of notices ?

(*c*) (*i*) How many new or vacant posts were filled in this Department during the period of last five years ?

(*ii*) Were all of them advertised ?

(*iii*) If advertised, how ?

If reply to (*c*), part (2) be in the affirmative, then it may be stated whether the information regarding the filling up of these posts was conveyed to the innumerable unemployed educated and deserving young men of Jammu Province who are wandering in search of employment ?

(*d*) If the number of employees belonging to Jammu Province be comparatively much less in this Department, what are the reasons of this injustice to one community and the monopoly of the other in this Department ?

(*e*) Is not this injustice due to the permanent location of this Department at Srinagar ? Will Government order this Depart-

ment to move to Jammu also so that the young men of Jammu Province who have not so far any representation in this biggest department of the State may also have an opportunity to get themselves employed there ?

(*f*) If Government does not intend to locate this Department at Jammu for the present will it issue orders that in future at the time of filling up all new and vacant posts, only persons of the Jammu Province be taken so long as their representation is not adequate and thus remove the injustice already done ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: (*a*) The information is given below :—

Post.	Total No.	Kashmiri.	Non-Kashmiri (including non-State subject.
Gazetted ...	11	3 permanent and 1 offg.	7
Non-Gazetted ...	199	179	20
Menials ...	42	39	3

(*b*) The appointments are made either by promotion or from the approved list of candidates which is prepared after proper advertisement.

(*c*) (*i*) 38 vacant posts were filled up during the last five years.

(*c*) (2) and (3) Some were filled by men reduced in other departments and the rest by the general procedure of advertisement as at (*b*) above.

(*d*) Selection is made of the best men available in both the Provinces. The number of Jammu people in the Accountant-General's office, Srinagar is small as they do not like to take up service in Kashmir. Similarly the number of Kashmiries in the Jammu offices is small as the Kashmiries do not like to go to Jammu.

(*e*) The question of location of head quarters of Government offices has been dealt with in detail by the Committee appointed under the orders of His Highness the Maharaja Bahadur, dated 16th December 1932. The move of this office to Jammu is not possible till suitable accommodation is available there and in any case it would be a costly experiment and result in dislocation of work.

(*f*) No. The appointments cannot be made on the basis of Province of domicile. Selection will as heretofore be made from amongst the best men available in both the provinces, but preference will be shown to Jammu men as far as it is consistent with efficiency.

LALA HANS RAJ: I have an objection to the statement which has been read ?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You need not enter into discussion.

LALA HANS RAJ: Is there any proof for it ? Are the Jammu people not prepared to live here ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: This is an established fact that the Kashmiries do not want to stay at Jammu during summer, similarly Jammu people do not like to stay at Srinagar during winter.

LALA HANS RAJ: If such petitions be submitted that Jammu people are prepared to serve at Srinagar during winter then will these petitions be considered and will they be given their dues ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: Yes, these will be considered so far it is possible.

503. SARDAR KANAHYA SINGH: (*a*) Is it a fact that after Mr. Lawther Inspector General of Police went away from the State and Mr. Peel, his successor, turning his attention towards certain irregularities, set aside the promotion and reverted certain Police officers such as Thakur Mastan Singh, Sardar Waryam Singh, Thakur Mahatam Singh, Abdul Gani Kabli etc. and the circumstances remaining the same Mr. Peel left the State ?

(*b*) Is it also a fact that according to the Government orders all such employees of the Police Department were granted a right to submit their representation to the Government within a period of three months and that many employees seeking justice submitted their representations to the Government through proper channel ?

(*c*) That all such representations remained lying in the offices of the concerned officers for a pretty long period without any cause and when such representations reached the last stage, they were atonce filed and thus Government denied justice to them ?

Will Government please state under what law these obstacles have been placed in the way of those who sought justice ?

Will Government go through all the files pertaining to this matter ?

(*d*) Is it also a fact that Mr. Peel the late Inspector General of Police and the present Inspector General of Police have at the time of deciding certain cases made such remarks in which the irregularities of Mr. Lawther have been admitted still those who sought justice were deprived of it?

Will Government do justice after considering all the papers in this connection.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: (*a*) Yes.

(*b*) Yes.

(*c*) The representations remained under scrutiny in different offices. Final orders have not yet been passed and the representations are still under consideration.

(*d*) Does not arise in view of reply to (*c*) above. All cases will be decided on merits.

SARDAR KANAHYA SINGH: I want to ask a supplementary question as regards to part (*d*) of the question. Will it be stated whether the past irregularities will be maintained or removed?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: It will be done as they deserve.

SARDAR KANAHYA SINGH: In fact when the irregularities are proved then these should be cancelled. Will it be done so?

MR. PRESIDENT: (The Hon'ble Sir Lal Gopal Mukerji Kt.): Yes.

504. SARDAR KANAHYA SINGH: Is it a fact that the services of Pandit Datta Kishen Kichlu and Mr. Ahsanullah, Assistant Directors of Agriculture were of temporary nature, but the services of Pandit Datta Kishen Kichlu were done away with by the Department and Mr. Ahsanullah who is an untrained man is still holding the post of Assistant Director of Agriculture?

Is it also a fact that Thakur Gian Singh and Sardar Waryam Singh Inspectors have come back after acquiring training in Agriculture and thus untrained person is being preferred to trained employees. Will Government please state when Mr. Ahsanullah is not a hereditary State subject under what rules a non-State subject has been confirmed in persence of the definite orders of the Government? Will Government dispense with his services?

If the reply be in the negative, it may be stated under what rules he has been confirmed and the services of Pandit Datta Kishen Kichlu have been dispensed with?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): *1st part.*—Mr. Ihsanullah is fully qualified being an agricultural Graduate of the Edinburgh University.

2nd part.—Thakur Gian Singh and Sardar Waryam Singh were appointed as Inspectors after completion of their training and have since been confirmed on their posts. Mr. Ihsanullah was retained in Government service and was subsequently confirmed as Assistant Director of Agriculture, partly because there was paucity of Muslims in the gazetted cadre of the Department and partly because he possessed very high qualifications.

There was no suitable post on which Datta Kishen could be retained.

SARDAR KANAHYA SINGH: Does he possess the high agricultural qualifications?

THE HON'BLE MR. K. N. KNOX (Revenue Minister): He possesses agricultural diploma.

SARDAR KANAHYA SINGH : Is he a State subject ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : No.

SARDAR KANAHYA SINGH: Is his appointment not contrary to the recommendations of the Glancy Commission and His Highness' commands and is this practice correct ?

KHAN BAHADUR RAIA MOHAMMED AEZAL KHAN: This is right. If according to need a State subject is not available, then a non-State subject can be recruited.

MIAN AHMED YAR: Will Mr. Data Kishen Kichlu be appointed on any vacancy falling vacant in the near future ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: I must have a notice for this. I do not know who Mr. Data Kishen is.

LALA HANS RAJ : A sufficient enquiry should be made at the time of making such appointments and when it is ascertained that a State subject is not available for a certain post and the appointment of a non-State subject is essential then only a non-State subject should be appointed after notifying it into the public.

BUDGET QUESTIONS.

MIAN AHMED YAR : We have not been given the copies of the budget questions. Either the questions may be read out first and then replies or the copies of the budget questions be supplied to the members.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): addressing the Secretary Praja Sabha : Please supply them with the copies of the questions. In the meanwhile I will read out a question.

KHAWAJA GHULAM MOHAMMED SADIQ: Point of order, Sir, it has now become practice even for those people who are not the members of the Assembly to cross the floor of the House when the Assembly is sitting. Only the members of the House and Assembly office can do so.

MR. PRESIDENT : (The Hon'ble Sir Lal Gopal Mukerji Kt.): When it occurs again you must draw my attention to it.

KHAWAJA GHULAM MOHAMMED SADIQ : Just now Mr. Ashai crossed the floor.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt) Government servants can do so.

KHAWAJA GHULAM MOHAMMED SADIQ : Only the Assembly Staff. If Ministers will bring their Secretaries here we should also bring our Secretaries.

10. LALA SHIV NATH NANDA : Is it a fact that the Electric Department realizes some amount in advance from the people at the time they are granted electric connection and that while this sum amounts to nearly one lakh no interest is paid for it to the people ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: Yes. Deposits are realized but no interest is paid. Such deposits are realized by all Electric Supply concerns in India to safeguard the interest of the Department.

LALA SHIV NATH NANDA : Can the Hon'ble Home Minister name out such companies of the Punjab where there is a practice of receiving deposits without paying any interest.

HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : I have been informed that such a practice is in vogue in the Punjab companies.

LALA SHIV NATH NANDA : Are those Government companies or private ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: This is not known, but companies as a matter of principle take deposit so that they may not suffer any loss.

SARDAR DHIAN SINGH : If it was considered to have a deposit from the temporary residents why it is being recovered from permanent residents and especially when a fine of annas two per day is imposed for the delay in payment.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: This is a new question.

LALA RAM LAL VAKIL: If it is proved that in India there is a practice of paying interest on the deposits in the Electric concerns then will the interest be also paid on deposits even here ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN: This will be taken into consideration.

LALA SHIV NATH NANDA : Are the Punjab rules being followed here even.

NOTE.—No reply was given.

11. SARDAR DHIAN SINGH: Deficit of Rs. 9,50,000 has been shown in the income under the head No. 2 *i, e.*, "Customs." Is it expected to be due to the reduction of 25 per cent. duty in case of labourers ? If not, what are the reasons for showing so much reduction in income ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGHJI : The Sabha Sad's attention is drawn to page 9 of the printed Budget for 1994-95 Head II, Customs and the Star mark against item Road Toll. The so called deficit of 9,50,000 is shown on page 16 the Budget under Head XXI Roads and Buildings. This amount being the income from Road Toll has been transferred from Customs to Public Works Department. There is thus no question of deficit.

12. PANDIT RAM CHAND DOBEY : The State advances a sum of Rs. 5,000 every year to the Imperial Council of Agricultural Research in India and the Council gives grants for Research work at various places. Did the State also receive any grants ? If not, why ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : (On behalf of the Hon'ble Revenue Minister) : No grant has so far been sanctioned for this State. Two Schemes, Rice Research and San Jose Scale, have been submitted to the Imperial Council of Agricultural Research and bo. the Schemes are under consideration of the Council. The Schemes when put into operation will involve an expenditure of Rs. 48,760 spread over a period of five years and this expenditure may in full or in part be borne by the Imperial Council of Agricultural Research. The Council are deputing their Agricultural Expert in this connection here. He is expected on 8th October 1937.

MIRZA MOHAMMED AFZAL BEG : Is the State bound according to the rules to contribute to the Finances of Research Council ?

HON'BLE Mr. K. N. KNOX : As far as I am aware, the Council asked the State to contribute some years ago but it has not yet contributed.

MIRZA MOHAMMED AFZAL BEG : Will the Government consider the question of contribution keeping in view the benefits, if any, accrued to the State.

THE HON'BLE Mr. K. N. KNOX: We will consider the matter.

MIAN AHMED YAR: Will the rates be reduced keeping in view such a large profit.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : This is already under consideration.

RAI BAHADUR PANDIT AMAR NATH PURBI : Will the Hon'ble Prime Minister give me any instance of any company where before declaring dividend the interest on the capital is taken into consideration provided that has not been taken as a law ?

DEWAN BAHADUR N GOPALASWAMI AYYANGAR : (Prime Minister) : In case of private companies the practice is that no interest is charged on the investment made by the company but in the case of Government concerns the practice is different. They always charge interest on the capital sunk in the concern.

13. PANDIT RAM CHAND DOBEY: In the next year's budget estimates there is an increase of Rs. 5,000 in the expenditure on Stamps although only recently Government has decided to issue "Adhesive Stamps" which should be printed at much less cost. Will Government please state reasons for this addition in expenditure ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGHJI: The additional amount of Rs. 5,000 has been provided to meet the cost of various dies, blocks and dandy rolls which have to be manufactured by the Security Printing Press Nasik at which the Court Fee labels and Adhesive Stamps have to be printed. The new arrangement is likely to bring about a recurring saving of about Rs. 10,000 annually.

14. PANDIT RAM CHAND DOBEY: An increase of 1,14,000 has been shown in the income of the Electrical Department as against its expenditure. Will Government please State as to how much amount has been spent on its capital outlay, amount of interest and depreciation ? If there be an apparent loss on this account, then what measures are being adopted to make this loss ? The figures for Jammu and Srinagar may please be supplied separately.

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The captial outlay on Kashmir Hydro-Electric installation has been shown as Rs. 53,25,409 and the net profit in the year 1992-93 was Rs. 1,45,002. The gross receipt was 5,16,260 and the cost of maintenance and running charges including depreciation at Rs. 42,549 and interest on capital (at 3¼ per cent.) at 1,73,075 were Rs. 3,71,258.

(*b*) The capital outlay of Jammu Hydro Electric Installation has been shown as Rs. 9,63,675 and the net profit in the year 1992-93 was Rs 1,04,432. The gross receipt was Rs. 2,31,234 and the cost of maintenance and running charges including depreciation at Rs. 15,850 and interest on capital (at 3¼ per cent.) at Rs, 31,319 were Rs. 1,26,802.

The question of loss does not arise in as much as the Kashmir Hydro Electric Installation has made a net profit of Rs. 1,45,002 and Jammu Hydro Electric installation Rs. 1,04,432.

15. PANDIT RAM CHAND DOBEY: will Government please state what rate of interest is paid at present on the Provident Fund deposits and how is the loss so caused to the Government made good; for the rate of interest which the Banks allow has fallen considerably ?

THE HHA'BUE RAO BAHADUR TABKAR KARTAR SINGHJI: Except in the case of officials who joined the fund before Baisakh 1983 the rate of interest is 4 per cent.

General Provident Fund balances may be regarded as invested in Government Securities which yield about 3·7 per cent P. A. The difference may be called a concession to depositors although the deficiency is partly made up by the slightly higher rate of interest charged on House Building and Motor Car Advances taken by Government officials. It may be added that under rule 13 of the General Provident Fund Rules the Government reserve to itself the power to amend or alter the rules as may be required.

The present rate of 4 per cent. is the result of reduction from 4¾ per cent. which was previously allowed.

16. PANDIT RAM CHAND DOBEY : An increase of 3 lacs and 14 thousand rupees has been shown in the income for Sericulture Department as against its expenditure. Will Government please

state as to how much amount has been spent on its capital outlay, interest and depreciation charges ? If, apparently, there has been some loss on account of this, then what measures have been adopted to make up this loss ? The figures for Jammu and Srinagar may please be supplied separately ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH Ji : The amounts shown in the Budget estimates represent cash receipts and cash expenditure only, but actual profit or loss is determined by preparing a profit and loss account for the two Provinces separately every year. The actual profit and loss figures for the year 1992-93 as also capital outlay and depreciation for that year are given below. No interest is at present charged in the profit and loss Accounts as in the case of commercial concerns. This is not generally the practice.

Kashmir Factory.

		Rs.
Year 1992-93 net loss	...	83,673
Depreciation charged	...	59,952
Capital outlay at the end of 1992-93	...	14,21,916

Jammu Factory.

Year 1992-93 net loss	...	404
Depreciation charged	...	2,331
Capital outlay	...	1,68,489

The profit and loss account for 1994-95 can only be prepared after the end of that year, but a substantial profit is expected in that year as well as the current year.

KHAWAJA GHULAM MOHAMMED SADIQ : Sir, the answer to question No. 16 has not been given.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You frame a question.

KHAWAJA GHULAM MOHAMMED SADIQ : My question is whether what measures have been adopted to make good the loss ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH : There is no loss. We expect profits this year.

17. SARDAR MAL SINGH : Will Government please state how much of Rs. 3,72,000 shown under the head "Agriculture", "Horticulture and Co-operation" is spent purely on agricultural works; and how much on the Co-operation Department ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : Rs. 1,35,000 odd is the expenditure on maintenance of Agriculture Department including Horticulture.

The Sabha Sad's attention is drawn to page 103 of the printed Budget for the year 1994-95 Head 21—Agriculture, Horticulture and Co-operation Rs. 1,26,200 is provided for Co-operative Societies.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt) : addressing to Sardar Mal Singh. You ought to have sent this question to the two Ministers in two parts.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH Ji : I will reply this question so far as it relates to the Co-operative Department.

SARDAR MAL SINGH : The reply which has been supplied to me differs altogether from the one which has been read. It may please be stated as to which one is correct.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH Ji : The one which is read is correct.

18. SARDAR MAL SINGH : Will Government please state how much amount is given to the Co-operative Department from the State Treasury without any interest or with just nominal interest ?

(*b*) How much of it is spent on the pays of the employees, and how much of it is given as loan to the Central Banks ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH Ji : (*a*) Nothing. The Government has only been depositing some of its surplus funds in the Co-operative Banks which offered suitable rates of interest. Loans were given to some of the Banks in the past but they have all been liquidated since.

(*b*) The Co-operative Department as a whole has been created in the interest of Co-operation and the Government is helping the movement by incurring an annual expenditure of Rs. 1,26,200 for the maintenance of the Department.

19. SARDAR MAL SINGH : Will Government please state for what purpose is the amount of Rs. 2,07,000 shown against Irrigation required ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : This amount represents establishment charges, tools and plants, copying Shajras and Khasras, maintenance and repairs, Lamberdari fees apportioned for irrigation works.

20. SARDAR MAL SINGH : Will Government please state what expenditure has been incurred on the Electric Power Houses so far ? How much of it with interest has been realized from Electric fees and how much of it remains to be realized ? Will it please be stated how much power is generated and how much of it is consumed. If the amount of electricity consumed is less, then, what are the reasons therefor ? Will it please be stated how much of electric current is allowed to Government free of charge for State functions ? What is its annual expenditure ?

THE HON'BLE SAHIBZADA SIR ABDUS SAMAD KHAN : The

cost of the Power Houses only of Mohora and Jammu are Rs. 11,07,250 and 5,71,653 respectively.

It is not understood what is meant by "how much of it..... to be realized. Kashmir Hydro Electric Installation gave a net profit after meeting running cost and depreciation of plant a sum of Rs. 1,45,002 in 1992-93 and Jammu Rs. 1,04,432.

Only as much power is generated as is consumed. No power is supplied to Government Departments free of charge.

21. SARDAR MAL SINGH: The income from Customs is shown as Rs. 60,53,000. (*a*) How much of it is realized from the goods which came under bond and how much of it is received from other Customs posts ?

(*b*) Will Government please state how much revenue is realized annually from the duty on salt and what amount was realized as duty on salt during the last three years ?

THE HON'BLE RAO BAHADUR THAKAR KARTAR SINGH Ji: The Sabha Sad's attention is drawn to the detail of Rs. 60,53,000 on page 9 of the printed Budget Head II Customs.

(*a*) The amount of Rs. 60,53,000 is the estimate for the next year and not actuals. The actual realizations can only be ascertained after the close of the year .

(*b*) No fixed amount is realized annually under the head "Duty on Salt". The last 3 years figures under this head are as follows :—

1990-91	...	...	4,48,403
1991-92	...	...	4,61,011
1992-93	...	...	4,59,045

22. SARDAR MAL SINGH: Will Government please state why is there an increase of Rs. 71,000 shown in the expenditure on Forest in the present budget when contrasted with last year's figures for the same ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister) : The increase has been shown under the following sub-heads in the Budget estimates of the Forest Department for 1994-95 over the sanctioned budget on account of reasons noted against each sub-head :—

Sub-head.	Amount.	REMARKS.
	Rs.	
A. I. *a*. ...	43,340	By spending this extra amount on the extraction of walnut half-wroughts to be supplied to the Ishapur Factory a

revenue of Rs. 58,268 will be realized during 1994-95 and stock valuing Rs. 1,20,000 will remain for future supplies during 1995-96, 96-97 according to the Factory, indent.

A. VII. *b.* ...	3,000	The amount sanctioned for the current year was not sufficient to have all the forest buildings repaired properly. Therefore an increase of Rs. 3,000 has been proposed for the next year.
A. VII. *c.* ...	1,017	Slight increase is due to the above facts.
A. VIII. *b.* ...	2,250	Increase is due to acquiring *Banjor* land in demarcated forests in Bhadarwah Division and purchase of a house at Atholo for the Range Office Padar.
A. VIII. *c.* ...	1,050	Miscellaneous expenditure on survey works.
A. VIII. *d.* ...	1,312	The increase is due to Working Plan operations which are at their preliminary stage in the Jammu Circle.
A. VIII. *e.* ...	718	Slight increase.
A. VIII. *g.* ...	4,725	Collection and burning of debris in larger scale for regeneration purposes.
A. IX *a.* ...	225	Slight increase.
A. IX *b.* ...	415	
A. IX. *c.* ...	758	
Total ...	58,810	

A corresponding decrease amounting to Rs. 42,310 has been shown under other sub-heads 'A' and 'B' and thus the net increase amounts to Rs. 16,500.

An increase of Rs. 13,994 has been proposed for capital works

chargeable to Revenue. Thus there is a net increase of Rs. 30,494 only and not Rs. 71,000 as mentioned in the question.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: (Addressing to Sardar Mal Singh) You have got this reply. The statement is a very big one to be read in the House.

SARDAR MAL SINGH: I have not been supplied. You may please read it.

NOTE.—The Governor read the whole statement.

23. SARDAR MAL SINGH: Will Government please state if the income from Forests—heads "Sale of Kuth" and "Miscellaneous" is shown as Rs. 5,35,500? How much of it is from Miscellaneous items and what are its details; and how much of it is from Kuth?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The amount expected to be utilized from the sale of Kuth is Rs. 5,35,500. Nothing is expected under Miscellaneous items under these sub-heads.

SARDAR MAL SINGH: I have not received written reply of this question also.

24. SARDAR MAL SINGH: Will Government please state the details of the income of Rs. 64,200 from Shikargahs stated under the head 'Forest'? How much of it is realized from the sale of grass and wood and how much from the fees for shooting license

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): *1st part*—Details of Rs. 64,200 are:—

			Rs.
1.	Game Shooting Licenses	...	17,000
2.	Trout Fishing Licenses	...	18,000
3.	Fishery Licenses	...	23,600
4.	Sale of trout and Ova from Hatche rie	...	3,500
5.	Miscellaneous	...	2,100
	Total	...	64,200

2nd part:—Amount realised from sale of:—

(*a*) Grass ... Rs. 1,000 [included in (5) above].
(*b*) Shooting Licenses ... Rs. 17,000 [given in (1) above].

25. SARDAR MAL SINGH: Will Government please state if the income shown from the Sericulture Department for its sale outside and inside India is as follows:—

Jammu	...	..	2,90,000
Kashmir	...	...	13,00,000

Sericulture Department outside India and that sold inside India and what were the sale prices? Is silk sold inside the State also or not? If not, why? If so, at what prices?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): The figures of income given by the Praja Sabha Sad pertain to receipt estimates of the Sericulture Department for the next financial year. It is not therefore possible to give the details of sales and prices asked for by the Praja Sabha Sad at this stage.

2nd part.—Sales are made also within the State; the rates charged being the same at which large quantities, *viz.* 4,000 lbs. or above are sold in British India.

SARDAR MAL SINGH: What is the difference between the rate which has been stated now and at which the silk is sold? Are the local purchasers granted any concession?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): There is no difference between the rates but there is one privilege to the local purchasers that they can purchase even retail on this rate while the outsiders cannot.

SARDAR MAL SINGH: Will the Government consider the question of grant of concession to the local purchasers?

THE HON'BLE MR. K. N. KNOX: It is not possible to answer this question. Sir, perhaps the rules may not allow this. No such request was made to me before.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): You have been told that your question can only be replied after considering it.

SARDAR KANAHYA SINGH: Keeping in view the cottage industry should the local men be given preference or not?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): This very matter was being discussed, what were you following so far?

26. SARDAR MAL SINGH: There is shown an amount of Rs. 22,825 under head Kuth-item "Expenditure on the prevention of Kuth from smuggling and grant of Rewards".

(*a*) Were rewards given to State employees or to private persons?

(*b*) Is an amount of Rs. 40,478 shown against the fund for the temporary establishment of this department? If so, was not the existing number of employees sufficient?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf of the Hon'ble Revenue Minister): (*a*) Rewards are given both to State employees and private persons under Kuth Rewards Rules.

(*b*) Yes, an amount of Rs. 40,478 is for the temporary kuth establishment. The reply to the second part of the question is in the negative.

SARDAR MAL SINGH: Has it come to the notice of the Hon'ble Revenue Minister that many false cases are instituted ?

THE HON'BLE MR. K. N. KNOX: No.

NOTE. - Sardar Dhian Singh was told by the Hon'ble President that answer to his question No. 31 will be supplied to him later on.

27. SUBEDAR KHAN MOHAMMED KHAN: Will Government please state if the income from the Customs duty on import for the current year has been nearly Rs. 1,68,000 and was shown as Rs. 81,000 in the Revised Estimates for 1993-94?

WAZIR FEROZ CHAND: *1st part.*—Yes.

2nd part.—It is Rs. 1,81,000 and not Rs. 81,000, as mentioned in the budget question.

28. SUBEDAR KHAN MOHAMMED KHAN: Will Government please state why is the income of Rs 47,000 from the Sericulture Department shown under the head "Forests".

WAZIR FEROZ CHAND: The income under 'Sericulture' is Rs. 4,700 and not Rs. 47,000, as mentioned in the question. The Sericulture Department is under the general supervision of the Chief Forest Officer, Poonch, and so this amount has been shown under the head 'Forests'.

29. SUBEDAR KHAN MOHAMMED KHAN: Will Government please state why is the heavy expenditure of Rs 31,500 being borne on the Forests as against an income of Rs. 87,700 ?

WAZIR FEROZ CHAND: The expenditure of Rs. 31,500 under Forests includes Rs. 7,079 on account of Sericulture and Shikargah Departments and thus there remains a sum of Rs. 24,433 only on account of Forest expenses.

In view of the above, it would appear that the expenditure under "Forests" is not heavy, as mentioned in the question.

30. Postponed.

31. SARDAR DHIAN SINGH: A deficit of Rs. 10,000 has been shown under Head No. 5 *i. e.*, "Excise". When no bill prohibiting the use of liquor has been passed in the House, then, what are the reasons for this fall in income from that head ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: The estimates have been based on actual bids received for the leases sold for the current year as well as on the basis of actual realization for the last 6 months of 1992-93 and the first 6 months of 1993-94.

32 SARDAR DHIAN SINGH: A deficit of Rs. 55,000 is shown in the income from Head No. 7 *i.* ., Stamps. The reasons, therefor, may please be stated ? Was there less of litigation last year to anticipate so much fall in income this year ? Are not Rs. 6,38,000 shown in last year's budget as income from Stamps ?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: (*a*) The estimate of Rs. 6,36,000 for 1994-95 is based on preceding years actual receipts. The deficit under revised 1993-94 which forms

the basis of the estimate for 1994-95 is presumably due to less litigation.

(*b*) No. This is not the actual income but the revised estimate only for the current year.

33. Postponed.

PT. LOK NATH SHARAM: Sir, The resolution of Pandit Gobind Ram Kabu runs as follows:—

"This Praja Sabha recommends to the council that a cut of Rs. 100 be effected in the Customs Department to enable the House to discuss the necessity of exempting school requisites and ordinary necessaries of life from duty."

The resolution raises two distinct points. One is exemption of school requisites and other is exemption of ordinary necessaries of life from duty. My submission to the chair is that this resolution as it runs brings two distinct issues and is not fit to be presented to the Praja Sabha by virtue of Rule 70 clause 2, which runs as below:—

"Every resolution shall clearly and precisely express, and shall raise substantially one main definite issue."

My submission Sir, is that this resolution raises two distinct issues and not one main issue. School requisites are entirely different things from ordinary necessaries of life and because this resolution raises distinctly two main points it is barred by virtue of Section 70. I cannot anticipate the objection as this resolution has been admitted by the Hon'ble President.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Then I won't touch this point.

LOK NATH SHARMA: My objection is this that the resolution is barred by provision of Rule 70 and if the chair gives a ruling against me I reserve my right of speaking on the resolution on the merits after the ruling is given.

MIRZA M. A. BEG: What is your remedy.

MR. PRESIDENT: (The Hon'ble Sir Lal Gopal Mukerji Kt.): Mr. Sharma do you want to say ?

PANDIT LOK NATH SHARMA: I have not understood rightly the question. My submission to the Chair is Sir that he (Pandit Jia Lal Kilam) porposes that if the resolution had been for the exemption of the articles from customs duty that would be raised.

PANDIT JIA LAL KILAM: The resolution, as it is, is before your Lordship. It has already been admitted by the Hon'ble Chair to be dealt with in the House. Now it depends upon the ruling of the Chair to grant permission whether it should or should not be introduced to avoid the unnecessary discussion about its admissibility.

[illegible] the course of the debate on resolution No. 3 of

the Budget resolution fixed for discussion Mr. Lok Nath Sharma has raised a point of order. His contention is that this resolution No. 3 contravenes Rule 70 clause (2) of the Rules of Business The rule says that a resolution shall raise substantially one main definite issue. There are three adjectives preceding the word "issue", *viz.*, "one", "main" and then "definite".

I will consider the reply of Mr. Qabu later on. I will deal with the contention of Mr. Loknath Sharma for the present. As I have said there are three adjectives to the word 'issue'. It must be one, it must be main and then again it must be definite. In the Resolution in question which runs as follows :—

"This Praja Sabha recommends to the Council that a cut of Rs. 100 be effected in the Customs grant (to enable the House to discuss the necessity of exempting school requisites and ordinary necessaries of life from duty)".

the object is to exempt from customs duty the "school requisites" and "ordinary necessaries of life". These are two distinct matters, *viz.*, school requisites and ordinary necessaries of life. The school requisites need not be ordinary necessaries of life. Therefore the resolution raises not one but two main issues. Again coming to the word "definite" neither of the two matters "school requisites" and "ordinary necessaries of life" are definite. School requisites may include many things, for example a black board, scientific apparatus, even a footfall and a hockey stick. Ordinary necessaries of life may include medicines, clothes, food grains and numerous other things. So it cannot be said that the expression "ordinary necessaries of life" is a definite issue.

For these reasons unless the argument of Mr. Kabu which I am going to notice presently prevails it must be said that the resolution under discussion contravenes Rule 70 clause (2) of the Rules of Business.

Mr. Kabu has, however, argued that his main resolution is one and single, *viz*, :—

"This Praja Sabha recommends to the Council that a cut of Rs. 100 be effected in the Customs grant."

Strictly speaking Mr. Kabu is correct. But the argument that has to be brought before the House must relate not to the token cut of Rs. 100 but to the matters which are to be put into practice, *viz.*, discussion relating to exemption of school requisites and ordinary necessariess of life from customs duty.

I am of opinion that under Rule 70 clause (2) the resolution is inadmissible. I rule accordingly :

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Resolution No. 4 of Pandit Amar Nath Kak.

PANDIT AMAR NATH KAK : Lest my friend Pandit Lok Nath Sharma may object I omit the word "industrial" from the resolution.

PANDIT LOK NATH SHARMA: My objection is that it is not open to the hon'ble member to omit this.

PANDIT AMAR NATH KAK: My submission is that I would request the chair to give me 15 minutes.

KHAWAJA AHMADULLAH SHAHDAD: Speeches should be made in Urdu.

MR. PRESIDENT: (The Hon'ble Sir Lal Gopal Mukerji Kt.): Both languages are permitted.

A VOICE: This should be translated.

MIAN AHMAD YAR: There are rules for that.

MIRZA M. A. BEG: Rule I of Rules of Business and Procedure says "The business of the Assembly shall be transacted in Urdu; but any member may address the Assembly in English, and the Secretary shall send to every official member, and to any other member who may so request an English translation of every notice and of all business to be transacted by the Assembly'.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): There is no other rule. It is provided that both the languages are admitted.

PANDIT AMAR NATH KAK: My submission is that time of full 15 minutes may be given to me for moving the resolution. Some of my time was taken for this rule of English and Urdu.

Sir, so the resolution now is that grant of expenditure in the Customs Department be reduced by a lac of rupees and I may be given in moving this resolution an opportunity to discuss the policy of the Government in regard to economic uplift of the country. I may submit with due respects to the Hon'ble Finance Minister and our learned friend Mr. Purbi who have had very extensive experience of the Customs Department when replies were given by two gentlemen in the previous day's debate and while the replies to the resolution moved on that day were that the Customs tarriff of Kashmir is based on protective measures.

PANDIT AMAR NATH KAK: The resolution moved on that day that the customs tariff of Kashmir State is protective in its nature. The one reason given by Mr. Purbi was that the tariff was very high and even then the people said that there was no protection. But that the very fact that the tariff was high was in itself sufficent to show that the protection has been granted to local industries and local trade. The other argument given by the Hon'ble Finance Minister was that the duty on the import of medicine was high no doubt, but in order to justify this fact, the reason given was that they wanted to give protection to Unani and Ayurvedic medicines and drugs like Kahzban and Nelofar.

PANDIT LOK NATH SHARMA: Sir, did you give a ruling on that point that day?

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.):

I thought it was moved.

PANDIT LOK NATH SHARMA: It is not open to the mover of the resolution to amend his own resolution or move only a part of it and also it is not open to the mover of the resolution to move amendment. Any other member may move an amendment to the resolution subject to two days' notice of moving an amendment.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Supposing he does not move the whole of the resolution.

PANDIT LOK NATH SHARMA: The resolution is moved and is before the House.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): If he does not move the whole of the resolution or a part of the resolution what would be the position?

PANDIT LOK NATH SHARMA: I want to make it clear before this house that there are certain rules which are inforce in the State and subject to those rules it is open to any member to propose an amendment to any resolution moved in the House provided two clear days' notice is given. If this is allowed, as in the present case, even though that is an explanation put forth by the mover of the resolution that he wants to delete a certain portion of the resolution which he has moved, it cannot be done. It means to say that it is open to a member to take the voice of any member who might like to move an amendment even though this amendment may have become time barred and simply state at any time that he has moved or is to move an amendment. In these circumstances I feel that I am perfectly clear on that point and so it is not open to my learned friend to move an amendment to his own resolution.

KHAWAJA GHULAM MOHAMMED SADIQ. It is not an amendment.

PANDIT LOK NATH SHARMA: It is an amendment pure and simple and my point is that at the last Jammu session this matter also came up for discussion but before the Chair could give any ruling on this point, the Hon'ble Mover, Mr. Amar Nath Kohli on whose motion the point arose withdrew the resolution lest that point might dislocate the work. In March Session 1935 also a similar question arose on my point of order and a ruling by the Chair was given in my favour on the resolution of Mr. Kak to the fact that certain offices which are located at Srinagar or Jammu may be allowed to move from Srinagar to Jammu and *vice versa*.

PANDIT AMAR NATH KAK: That is a different question.

PANDIT LOK NATH SHARMA: It was a different ruling to suit the needs of tune of Mr. Kak and Sheikh Mohammed Amin, but it was a ruling all the same and I would submit that it is not open to my learned friend to move an amendment to his own

resolution or to move a part of his resolution. The resolution must be moved in the House as a whole. That is my submission I would like to have a ruling on it.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Can you refer me to any rule of the Rules of Business.

PANDIT LOK NATH SHARMA : Yes Sir, there is Rule 72 to this effect and it reads (reads Rule 72 of the Rules of Business).

It nowhere provides that it is open to the mover of the resolution to put forward his resolution into parts. He must either withdraw or move it as it is. There is no other alternative left to him. He must move the resolution in the shape in which he has given notice of it and not otherwise.

PANDIT AMAR NATH KAK : May I reply to this point.

PANDIT LOK NATH SHARMA : Yes, I am waiting for that.

PANDIT AMAR NATH KAK : It was only I should say by way of giving my friend a chance of raising this point of order, otherwise the word "economic" includes "industrial" also.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : That is a different point.

PANDIT AMAR NATH KAK : Whether I can or cannot delete a part of my resolution, I would submit that there are two rules given in the Rules of Business so far as the original motion and the amendment is concerned. Rules for amendments are given in Rule 75. (Reads Rule 75).

When this matter was discussed in the last Session of the Assembly I do not know whether that part of the remark of the Chair was recorded in the proceedings of the Assembly or not, but you were pleased to remark that there is nothing in the rules which show that the member in whose name the original resolution stands cannot move an amendment to the resolution itself. The difficulty arose about notice for moving an amendment but the member who himself moves a resolution can under Rule 75 move an amendment to the resolution and I would submit that Rule 75 is quite clear on the point. It does not debar any person to move a resolution and also to move an amendment to the resolution itself because it does not refer to the member other than the mover himself. So my submission is that under Rule 75 a member can move an amendment to his resolution also. But my learned friend can say that under Rule 76 a notice for moving an amendment should be given.

So far as period of notice is concerned you were pleased to remark on the very first day of the budget resolutions that the period for notice in regard to budget resolutions will not be strictly observed. As the procedure was changed this year we prepared these resolutions in consultaion with the office according to the instructions given by the President to the office,

and no doubt in whatever form the resolutions were prepared would be moved in the House. Later on the Hon'ble leader of the House, the Hon'ble Prime Minister, called me and said that if I amend my resolution in the way in which I have proposed to amend it, no objection would be raised to it. I did not on that account put in an amendment. I expected that I would get an opportunity to move it on the previous day and I would delete the word "industrial". As I did not get the opportunity on that day, till the time expired, I moved the resolution to-day and I want to delete the word "industrial" where it occurs with your permission. Though Rule 76 relates to notice but it may not be enforced in the case of budget resolutions, because the total number of days alloted for resolutions itself is only two and for amendments no period is prescribed. So if your honour permits me I will withdraw this part of the resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) (Addressing to Pandit Lok Nath Sharma) : Have you to give any reply ?

PANDIT LOK NATH SHARMA : Yes, Sir.

My learned friend has taken shelter under the provisions of sections 75 and 76. My submission is that those sections clearly and simply relate to the amendments proposed by any member other than the member in-charge of the resolution.

PANDIT AMAR NATH KAK : That is not meant by the rules.

PANDIT LOK NATH SHARMA : My submission is that two and two taken together makes four but my friends say it is not so. We cannot lose sight of the fact that two and two mean four. If the aim and object of these rules would have been to hold that it was open to anybody to move a resolution and then amend it himself, certainly there is no place in the rules of business or any provision to that effect. In reality it would have specifically stated that it is open to any member incharge of the resolution to move an amendment himself. As it is we find that under rule 72 there are only two courses left open to my hon'ble friend that is either to withdraw his resolution or move it as it is. From rules it clearly appears that the resolutions must be moved in the form in which it has been received.

It is 1 'o clock now and if your honour grants me time, I will place before your honour both the rulings given on the subject by the late President and the proceedings which took place in the previous sessions of the Assembly.

AFTER LUNCH.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Mr. Lok Nath Sharma.

PANDIT LOK NATH SHARMA : Sir, I would like to draw the attention of the Chair to page 348 of Jammu and Kashmir

Praja Sabha Debates Volume III Second Session of 1935 in English. Mr. Amar Nath Kak's resolution before the Praja Sabha appeard in the words :—

"This Praja Sabha recommends to the Council that the offices of the Heads of the Departments now located at Jammu may be permitted to move along with the Durbar from Jammu to Srinagar and *vice versa*."

This resolution was in a way ambiguous and an objection was raised by myself. Mr. Kak the mover of the resolution wanted to present an amendment and the objection was raised by me in the following words :—

"I would submit that Mr. Kak is, in a way, making an amendment to his resolution whereas he has no right to do so. If he has the right to amend his resolution at all, he ought to have submitted his amendment before the commencement of the discussion on the resolution. The resolution was orginally submitted in the following form :—

> "This Assembly recommends to the Council that the offices of the Heads of the Departments now located at Jammu may be permitted to move along with the *Durbar* from Jammu to Srinagar and *vice versa*."

This evidently means that the offices which are in Jammu may be permitted to move to Srinagar but those which are in Srinagar should not be moved to Jammu. Now my learned friend has no right to amend this resolution and if at all he wants to do so, he should give notice required under rules and then submit the amendment. Consequently Mr. Kak had to put the resolution in the original form in which he had presented it. Similarly now he has no right to present an amendment. If he wanted to have the resolution amended, he should have done that before.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt) : What was the amendment ? I want to see the nature of the amendment.

SHEIKH MOHAMMED AMIN : Sir, what Mr. Sharma is referring to was not an amendment but was the resolution of Mr. Kak.

PANDIT LOK NATH SHARMA : In that resolution there was a lacuna and according to the language of the resolution only those offices whose head-quarters were situated at Jammu were to move with the *Durbar*. While the mover wanted that only Accountant-General's office should remain at Srinagar and all other offices with head-quarters at Jammu or Srinagar should move with the *Durbar*, and so wanted to amend his resolution. The Hon'ble President did not allow the explanation to be incorporated and the resolution in its original form was put to vote and declared lost.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) :

Mr. Kak wanted that the words "*vice versa*" should be removed.—

PANDIT LOK NATH SHARMA: Sir, Rule No. 75 of the Rules of Business and Procedure is quite clear, "After a resolution has been moved, any member may, subject to the rules and standing orders relating to resolutions, move an amendment to the resolution." It clearly shows that a member can only move an amendment to a resolution subject to rules and standing orders relating to resolutions. And according to rule No. 76, two days' notice is required for moving amendment.

If the contention of Mr. Kak is allowed to prevail then we will have to delete the words, "subject to the rules and standing orders relating to resolutions", from Rule No. 75.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Can he not move the amendment with the permission of the House?

PANDIT LOK NATH SHARMA: Sir, House is not empowered to grant permission against the Rules of Business and Procedure. Another point which I want to make clear before the House is that if the mover of the resolution is allowed to amend his resolution like this, it would be easy for every member of the House to get his amendment moved through the mover of the resolution if his amendment is time barred and rejected. I have made my position perfectly clear and Mr. Kak has no authority to move his amendment.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): (Addressing to Mr. Kak): Do you want to say some thing?

PANDIT LOK NATH SHARMA: He has no right of reply. I raised the point of order and he replied and I have given the final reply.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): RULING:—Mr. Kak in moving the resolution No. 4 which stood as follows:—

> "This Praja Sabha recommends to the Council that the expenditure grant for Customs and Excise Department in the next year's budget be reduced by a lakh of rupees. (This reduction is proposed for discussing the measures of the Government in regard to economic and industrial uplift of the State)."

proposed that he would drop the words "and industrial" occurring between the words "economic" and "uplift" in his resolution. Thereupon Pandit Lok Nath Sharma raised a point of order and he argued that either the whole resolution should be moved or none at all. His contention is that it is not open to the mover of a resolution to make any amendment whatsoever in the language of the resolution as it stood on the Agenda. Mr. Sharma quoted what is supposed to be a ruling of the late President Hon'ble

Sir Barjor Dalal to be found in the report of the Jammu and Kashmir Assembly Debates Volume of the year 1935 at pages 348 and 349.

It is not clear from the report that my late predecessor in office actually gave a ruling but it does appear that he was of opinion that the resolution as it stood should be put to vote.

I think I have to decide the point independently of any precedent because none has been brought before me.

Under Rule 72 of the Rules of Business a member in whose name a resolution stands shall when called on either withdraw the resolution or move the resolution in which case he shall commence his speech by a formal motion in the terms appearing on the list of business. Clause (*b*) of Rule 72 would indicate that a formal motion for moving a resolution should be in the terms appearing on the list of business.

In any of the rules of the Rules of Business no provision is to be found for a mover of a resolution amending his own resolution. In the beginning of the debate I was inclined to think that if an amendment did not materially alter the nature of the resolution probably it might be allowed. On a second thought I find that it would be a rather dangerous propostion to allow it because a debate may arise in most of the cases whether a proposed amendment was merely a verbal amendment or a substantial amendment.

Taking the language of the rule as my guide I rule that the motion as it stands on the Agenda must be moved in its entirety and without any amendment.

PANDIT AMAR NATH KAK: Sir, with your permission I move my resolution as it stands on the list in its entirety without excluding the words "and industrial". As I pointed out the word 'economic' includes 'industrial' also and these are not two main issues different and distinct. The issue being one therefore the amendment was permissible under rules.

My submission now is that two objections were raised by the Government benches on a previous day, in reply to our resolutions, that the customs policy on the tariff policy of the State was protective in the sense that it was high and in the sense that protection was granted to indigenous manufactures and products. Specific reference was, made by the Hon'ble Finance Minister to medicines and he stated that the high rate of customs on pharmaceutical products manufactured either in Europe or in India was due to the fact that the Government wanted to give protection to the medicinal products of the State such as 'Kahzaban', 'Nilofar' and 'Behi-dana' and specific reference was made to 'Behi-dana' I may clear this point that in view of this very generous and wise policy of the Government, the Government, ought to close the several hospitals in the State and in their stead open Unani

'Shafakhanas' and Vedic 'Aushadhalayas' wherein this 'Kahzaban' 'Behi-dana' and 'Nilofar' would be used. (Laughter).

When thousands of rupees, even lacs of rupees are being spent by the Government on the purchase of the foreign drugs and allopathic medicines, why do they not extend this policy to local drugs by establishing Unani 'Shafakhanas' and 'Aushadhalyas' in place of these hospitals.

Secondly, in support of the customs policy the other point urged was that the high tariff policy by itself was a protection to local industries. This was urged by our Hon'ble friend, Mr. Purbi, who fortunately is now in trade and is not holding the office of the Inspector General of Customs and Excise. I would submit that in case of certain articles such as silk, it can be maintained that high customs duty on foreign silk is a protective measure and it safeguards the local manufacture of silk. But the articles which are not at all manufactured in Kashmir, which are not produced by the state and which are required by the people, for their every day use cannot be said to be such articles which required protections by way of high Customs duty. My submission is that in England and America the only way of giving impetus to the local people to organise industries and to start manufacture of articles is high tariff policy. Once I mentioned the case of carpets manufactured in Kashmir and 'Namdas' exported from Kashmir. It has been almost impossible for Kashmir traders to import Kashmir carpets or 'Namdas' in America (which was the biggest consumer of these articles), the reason being that the duty charged is 65 or 70 per cent. on the cost of 'Namdas' and carpets. This is the reason that the carpet and 'Namdas' trade in Kashmir is on the decline. Similarly is the case in England and in British India, where the policy of imperial preference is being followed. My submission is that this imdiscriminate high customs duty in case of articles which are not manufactured in Kashmir, I mean the State, is responsible for the backwardness of the trade of the country.

If we look to the statistics my learned friend on the Government benches would say that it is a lie and a damned lie but he will admit that the Government also depends on the statistics prepared by the same Accountant General and formulates its policy according to these statistics -the statistics would show that it has become very difficult for a local trader to carry on trade in competition with a Sialkote, Lahore or Amritsar trader. For instance in the case of goods manufactured in America and other foreign countries which come under bond to Kashmir, if an Amritsar whole-sale merchant purchases those goods and after opening the packing wants to import the goods to Kashmir, double duty is charged, one paid by the wholesale dealer in Amritsar and the other when that

article is purchased by the local dealer of Kashmir for being sold here. In case of Indian made goods also we have to pay customs duty at the Customs Post while on the other hand in British India when the goods are being imported from one Province to another Province, no customs duty is paid. Now leaving aside the Customs Department whatever the policy of that Department is I would submit that the main object of my resolution is that the State should undertake a definite policy and regulate it by a five or ten years' scheme or extend it over any number of years for the economic and Industrial development of the country. I would only refer the House to a debate which is entered in the 1st volume of the Assembly debates (first session), and especially to a reply given by the then Hon'ble Revenue Minister, while a motion regarding industrial development of the country was made in the House. The reply was that the Government was thinking of setting up a definite policy for the Industrial development of the country and they would very soon set apart a special sum for this purpose, and a standing Committee would be formed; elected members of the House would be on the Standing Committee. They would advise the Government as to the ways and means by which the country could be developed and we would see in the course of time that every possible attempt would have been made in this direction. Now what happened in the course of these three years ? We have got an Industrial Department. This Department is not meant only for advising the Government as to how and when they should take up any Industrial enterprize but it is also meant for giving facilities to the people and to see that the people by their private enterprize and the funds, which the Government may grant them are developing industries in the country. The other day we made a short reference to the Gazetted officers of the Police. To day I want to make a short reference to the Gazetted Officers of the Industrial Department. In this Department we have got one Director whose pay is Rs. 1500. (That is the only step which has been taken by the Government so far and his work has yet to be seen). Then we have got a Deputy Director of Industries who is getting Rs. 600 per month. Then we have got an officer for the Stationery. I don't remember the designation. He is also a Gazetted Officer. Thus we have got three officers. In addition to them we have got two officers for the Mining Department. One at Rs. 600 and the other at Rs. 400. So we have five gazetted officers for this department. In my resolution they are six in number. What are the funds at their disposal. Two mining officers have to spend a large sum of about Rs. 1,000 throughout the year in mineral

research and exploration. They are drawing every month more than Rs. 1,000. Throughout the whole year they have to spend one thousand rupees for the mineral research and exploration. The House can imagine.....

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.) : You started at 2. 20 p . m.

PANDIT AMAR NATH KAK : So my submission is that the Government has so far been particular about increasing the ranks of Gazetted Officers without giving them any work for the industrial development of the country and this is why I have made mention of one lac of rupees in the Budget. I would say that at least a lac of rupees should be provided in the next year's budget for the industrial development of the country. If no specific provision is made for this purpose the country cannot flourish. In the last sitting of our Standing Committee we made this suggestion to the Hon'ble Revenue Minister that he should also press to the Council that the Government should make provision of one lac of rupees for this purpose.

PANDIT AMAR NATH PURBI: Sir, I do not want to say anything about industries. I would like to say something about the cut motion that has been moved. I will try to remove the misunderstanding that has arisen about tariff.

LALA HANS RAJ. Can you not speak in English ?

PANDIT AMAR NATH PURBI: No. Sir.

MOULVI MOHAMMED ABDULLA: You can understand English.

PANDIT AMAR NATH PURBI: Tariff the world over depend upon three principles. The first principle is that of free trades. Accordingly to this duty is levied for revenue purposes. The second is protective. Duty in this case is levied for the protection of industry. The third is a mixture of both these, It is partly for revenue and partly for protection purposes. But there is a some misunderstanding here about this. In British India and other places as long an industry for the protection of which a duty has been imposed does not stand on its own feet the duty continues. When duty imposed for revenue purposes things do not happen there as they happen here until the question of reduction in surplus duties in the budget is not raised. They do not ask one day for abolition of salt duty and on the other for abolition of duty on pulses. All changes ought to be made according to some principle. On the first day as well as to-day one gentleman stated that tariff rate in other states are lower about four or five percent, if the duty there is only 2 per cent. it becomes 32 per cent. as compared to the 30 per cent. here. Because bonded goods which come from foreign countries are not subject to any duty in the

State. This duty is on the other hand realised in the states which have been been referred to We still protest for nothing here. It remindes one of the proverb which says that if there is an outbreak of fire in one's own house, it is of course a fire. If it is in another's house it is like spring.

SARDAR KANHYA SINGH: It was you who kindled the fire.

PANDIT AMAR NATH PURBI: The members of this house have again referred to Indian industry. So far as I remember the tarrif duty on Indian imports is far less than the foreign tarrif. But when it is a question of protecting our own industries it is our duty to safeguard our own interests first and then to think of the interests of others. It should not be that our people starve and others gain. It is an important duty for us to promote the interests of our industry first.

PANDIT JIA LAL KILAM: What are our interests?

A VOICE: The interests of gazetted officers.

S. KANHYA SINGH: I would submit that the speeches have already been made by Mr. Kilam and the other learned member on the resolution moved by Pandit Amar Nath Kak. Mr. Purbi stood up to speak on this customs question and said that the local industries had not been promoted. This means that there are no industries here. There were no industries here when he fixed the customs tarrif. He has therefore said that industries will be established when the Government, promotes industrial interests. Mr. Kak has stated that so far as mining goes our country is rich in mines. There is a Department for mining here with a Director at its head and one other gazetted officer. But they have not been given a pie for mining work. So also we have a Department of Agriculture here. Many officers have come; but had no work. If the Government desires the welfare of this country it should not complain of lack of funds. When an officer asks for funds for some work he receives the reply that funds are not available. You can imagine, how unemployment, can be removed under these circumstances. How can the mines and the treasures that are under ground benefit the State and its people? I would submit that as long as the Government does not pay attention to this, it will keep on draining the blood of the people. Money is not spent on any work of public utility. Even the Department of Agriculture does nothing for us. Only its officers draw big salaries. So is the case with the Mining Department. It is said that its officers are highly experienced and that they are making a survey. They are busy in thinking of working petrol, gold, and diamond mines. When these are worked the whole country will be enriched. The State is living on that hope. It hopes that the treasures will be unearthed that unemployment will be removed, and that the capital in the country will swell up.

SARDAR DHYAN SINGH: Sir, I would invite the attention of my friend to the fact that the general burden of the British customs has to be borne by the Government Duty has moreover to be paid at other places too. At some places it is 2 per cent. at other 4 per cent. and at some others 6 per cent. The burden of this too rests on the Government. He has rightly said that this concession is allowed to no other State. Only the Jammu and Kashmir State enjoys it. Our State has been just in levying small customs duties. I would invite the attention of my friend to the treaty that was entered into by the State with the British Government in 1870. According to its terms customs duty realised at the posts on goods imported into the State from foreign countries is refunded to the State. No duty is charged in Jammu and Kashmir. But my friend has not stated that goods on which a duty of 25 per cent. has been paid at Karachi, if imported into the Punjab, is subject to a duty of 70 per cent. This means that a double duty has to be paid at the port of import and for the place where the goods are sent. You can yourselves say if this is justice. If goods from our part of the country are impoted into the Punjab or the rest of India, a tax exceeding the cost of goods has to be paid. This hardship is also unjust. Customs Duty rates have naturally gone on increasing. What were the Customs duty rates previously and what are the rates now? About Poonch I would say that previously two annas were charged per tree. Now it is from between thirty five to thirty seven rupees. Burdens of various nature have now been thrown on the State. Necessaries of life consequently been rendered dear. Customs Duty has been increased with increase in population; and along with increase in duty big salaries have also been kept in view. If increases had not been effected in the salaries of officers the Inspector General Customs pay would not have risen at once to rupees fifteen hundred. I can confidently say that if salaries had not been increased to such an extent duties would also not have increased. I fail to understand why the Inspector General Customs has been given such a big salary. I support this resolution.

LALA SHIV NATH NANDA: Sir, one of the points mentioned by Mr. Kak in his speech was already mentioned in the first session of the Praja Sabha. An assurance was given then on behalf of the Government that the Government is paying its attention to industries and considering the means of promoting them. It has also been said that all attention as far as possible, will be paid. I would like to inform the House of the fact that the resolution in reply to which this assurance was given by the Government, had been moved by me. I withdraw it, because the Government gave an assurance in that connection. It was

stated that the Government desires that local industries should flourish. To acheive this end all possible expenditure will be incurred. I would now like to refer to the speech made by my esteemed friend Mr. Purbi about protection duty. Mr Purbi said that all duties that have so far been levied or may be levied in future by the Government; are of a protective nature. The object of these duties is to eliminate outside competition. I would like to say that protective duties are of various kinds, and there are different schedules for these different kinds.

My esteemed friend may be aware or may have read in the papers that *gatta parcha* was in vogue once in Bombay. It sold very cheap. The poor generally used it. Once it happened that a woman had *gatta parcha* on. She was cooking her meals. The *gatta parcha* caught fire and the woman got enwrapped in flames. She died later on. The Government thought that *gatta parcha* is a cause of fire. Neither gold nor silver was involved. They levied a protection duty on *gatta parcha* to save poor woman from the harm which *gatta parcha* might otherwise do. The duty was increased then from 5 per cent. to 7 per cent. That explains the attitude of our Government towards protection.

I would submit that my friend Mr. Kak has said a good deal about industries. I should also like to say something. The Industries Department was established in the State in the year 1980. The Government very generally spent money on this department so that it could benefit the people when it had a start. Sir you are aware that twenty one thousand youngmen are uow wondering unemployed in the state. Ninety seven thousand rupees are spent on this Department. This expenditure does not benefit the people. The details of expenditure are as follows. Pay of gezetted officers amounts to forty-eight thousand four hundred and forty and establishment charges about fitty thousand. Sir it is elear that from 1980, the year of its inception to 1985 the oniy purpose that this Department served was the creation of the posts of gazetted officers. Many people got into service. Nothing at all was done to promote or extend industries. If I say more on this point it would be off the point. I may say that we have got only seven thousand rupees with us for our industries. The rest is spent in paying salaries. In a long speech the Hon'ble Finance Minister said that it is the kindness of the Government that it spends so much and that we should be grateful to it. There no doubt that the Government deserves our gratitude for that sum which it has reserved for industries in the public interst. But this too, is not deserving of gratitude. I would invite the attention of the Government to a few points, in particular. Sir you are perhaps aware that rupees thirty thousand have been reserved for investigation of commercial possibilites and one thousand for

taking part in the exhibition. Those persons who desire to join an exhibition in the rest of India can submit their proposals and he will receive aid from the Government. Rupees five hundred have next been reserved for cottage industries, and for the working of mines. This means that a sum of six thousand rupees only has been reserved for works which would directly benefit poor people. Sir, it is a matter of surprise that only one thousand rupees should have been budgetted for mining. What can be achieved with this small sum. Kashmir is famous for its mines the world over. The State spends practically nothing on the working of mines.

My esteemed friend has stated that mines far exceeding the treasure of Croesus lie underground in the State. These mines beat in wealth the coffers of Croesus.

MOULVI MOHAMMED ABDULLA : Sir, the treasure of Croesus were of no avail. They did not serve the purpose of any one and remained buried under ground.

LALA SHIV NATH NANDA : As long as you do not unearth your treasure it is of no use. I would submit that there are different kinds of mines in the State. Iron mines are to be found in the State. There is also another liquid from which aluminium can be prepared. Gypsum is to be found in the Kashmir Valley and from this can be prepared Plaster of Paris.

LALA HANS RAJ : Can you count these?

LALA SHIV NATH NANDA : There are many mines in this State but they all lie unworked. The Government has paid no attention to them only three or four days back I learnt from the Director of Industries that lead is to be found in Kashmir. This has been sent out to Calcutta or the Punjab for experimental purposes and to see what use can be made of it. Our condition here is such that we cannot even examine its properties here.

SARDAR MAL SINGH : Who has told you that such minerals are to be found here.

LALA SHIV NATH NANDA : This news has appeared in the Press. This is also to be found in Government reports you should not think that I have made enquiries from some Department.

MR. PRESIDENT. (The Hon'ble Sir Lal Gopal Mukerji Kt.) : Your time is over.

LALA SHIV NATH NANDA : All right sir, with these words I support the resolution.

SHEIKH ABDUL HAMID : Sir, the object of the reslution under discussion is the economic and industrial betterment of the people of the State. The Hon'ble members have already expressed their ideas about the resolution. I would also like to do the same.

Apparently this resolution seems very useful. There is no

doubt that the Government has made many promises in this connection. So far as possible the Government will try to bring about our industrial and economic betterment. It will render every possible help. The first thing that is to be seen is the work, if any, that has so far been done by the Government. We have to see how far the Government has fufilled its promises?

I would submit that the Government after keeping in view all the necessary budgetted expenditure has rendered all possible aid. A factory for the manufacture of woollens has been opened here. Thousands have so far been advanced as aid in this connection.

MIRZA M. A. BEG: What is the name of this factory ?

A VOICE: Karan Singh Woollen Mills

SHEIKH ABDUL HAMID: You don't know this even though you live in Srinagar.

PANDIT AMAR NATH KAK: He lives in Anantnag.

SHEIKH ABDUL HAMID: Recently the Government has announced that sheep have been imported from outside in order to promote this industry. A large area has now been reserved for this purpose. This makes it clear that the Government is not sleeping over this issue. It is using all its efforts in this direction. If this venture is a success, the larger part of this State which is cold will not stand in need of importing warm cloth. This was a very important matter and the Government has given its attention to it. Sheep have been imported from outside. They will be used for breeding purposes here. A large sum has been reserved for this purpose. It is proposed that wool should be produced, cleaned, spun and manufactured into cloth locally. This will eliminate the necessity of importing wool.

I would submit that our present Director of Industries has recently taken over. He has got many schemes in view and it is necessary that he should be allowed time to completely acquaint himself with the conditions that obtain here. He should know which large scale industries can be set up here.

Moreover a Board of Industries has also been set up. Four members of the Praja Sabha are members of that Board too. These members are asked to give their opinion. It is their duty as representatives of the people to put up schemes before the Board. So far no such scheme has been submitted to the Government and funds demanded. Keeping all the circumstances in virew schemes should be submitted to the Government. If the Government thinks that the schemes are sound it will advance the necessary funds. It is unnecessary to ask for a specific provision to be made in the Budget which is now under discussion. If, let us suppose, after a year or six months a scheme is submitted which would cost two lacs to work and the Government feels that if this

scheme is taken up it will be profitable to the State and the public and the Government money will not be wasted. Sanction for the necessary sum can be procured by a supplementary budget.

LALA SHIV NATH: This cannot be done.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): One minute only. Please finish your speech.

SHEIKH ABDUL HAMID: With these words I close my speech.

RAI BAHADUR LALA JAGAT PERSHAD: Sir, it would be difficult to reply to all the points that have been touched in the course of the various speeches that were made in this House. Customs policy was discussed and high salaries and many other matters.

So far as the Customs Department is concerned, it has been suggested in the House that while Customs duty should be reduced, on the one hand, on the other, industries should be protected. I would submit that if industries need protection, customs duties need enhancement. But here reduction in customs duties is being requested. How can Industries be protected then?

RAO BAHADUR MAJOR GENERAL THAKUR JANAKSINGHJI: An elephant has two tusks.

RAI BAHADUR LALA JAGAT PERSHAD: If you desire the protection of industries, it is necessary to continue the customs duty. If you do not desire the protection of industries, Customs duty can be abolished. Both these ends cannot be achieved simultaneously. I cannot understand what the mover of the resolution wants. Does he want protection or reduction in Customs duty.

(VOICES. Both).

The Government has appointed an Advisory Board to suggest increase or decrease in various tarrif rates. All these points are already under the consideration of that Board. I cannot understand what purpose this discussion will serve.

PANDIT JIA LAL KILAM: We too know that no purpose will be served. (Laughter).

MIAN AHMED YAR: The Constitution is such.

RAI BAHADUR MR. JAGAT PERSHAD (Continuing his speech): This Advisory Board is already considering all the complaints, the existence of which is a source of loss to the people. Your elected members are also included in the personnel of that Board.

VOICES: How many are they ?

The Board has been set up on behalf of the Government but two elected members have been co-opted. You should examine the work done by that Board. When the Board brings its labours to a close, you can see how far your wishes have been fulfilled.

You want that the Government should at once express its intentions and give its opinion one way or the other. This is very difficult. I have already told you that your request is already under the consideration of the Government. Every side of these questions is being considered. You want that industries should be promoted and customs duties reduced at the same time. Since this is a source of loss to the Government, it is among other matters, already under the consideration of the Government.

One member has stated that double duty is charged on bonded goods. We get a refund on bonded goods from the Government of India. This comes to lacs of rupees. Customs duty is charged in the State on goods which are ordered by the local traders either from Amritsar or from Lahore. If these goods be exempted from customs duty in order to remove your complaint, the result will be that the local businessmen will order foreign goods too from Lahore or Amritsar. Nobody will order goods under bond. This will not benefit you to any very great extent. Duty will be realized on the goods at the Karachi Port and the State will suffer a very heavy loss. So far as bonded goods are concerned, I can assure you that in such matters, I always keep the interests of both the people and the State in mind

LALA AMAR NATH KOHLI: What have you to say about Indian goods.

RAI BAHADUR MR. JAGAT PERSHAD: The duty that is charged on such goods is already less. Only such Indian goods are liable to full duty which can be improted from India as well as from a foreign country. If duty is not charged for such goods, the result will be that goods will cease to be imported under bond here. The State will then no longer get the refund that it now gets from the Government of India. Let us take the instance of sugar. A reduction of customs duty on Indian sugar has stopped the import of Javanese sugar into the State. We have thus been put to a loss of thousands of rupees.

All these matters are under our consideration. If the Sabha wants to know whether we are really doing something in this connection, equiries can be made from the elected members of the Board who know everything about it. They can tell you of the steps that have so far been taken in this connection and that are being taken. There is therefore no necessity for presenting the cut motion regarding customs grant.

I have been asked to say something about the technical schools. This matter is also under the consideration of the Government. Technical schools are already established here. Proposals for their reform and for rendering them more useful are also under consideration.

The complaint at first was that the Director of Industries was not a capable man. Now that capable outsider has been appointed to this post, you complain that the salary which the post carries is a very large one. This objection is not justified. The present Director of Industries should first be allowed an opportunity of doing some work. You cannot say as yet that he has done no work.

LALA SHIV NATH NANDA : We do not object to his salary, but to the elephants that have to be maintained free without work under them.

RAI BAHADUR MR. JAGAT PERSHAD : (Continuing his speech) I have said so previously too and I repeat now that in order to promote industries here you should submit some schemes. It is only a few industries which the Government can run itself. If the Government takes all the Industries into its own hand, where will your freedom be ? The Government does not intend doing any such thing.

PANDIT JAI LAL KILAM : Russia.

RAI BAHADUR MR. JAGAT PERSHAD : Take the case of Russia. One cannot be sure whether the the various schemes which they took up have or have not been a success. The schemes that were taken up there or the arrangements that were made have all undergone a change. It cannot again be said with certainty whether the present condition will last. Other countries have not approved of these schemes.

MR. M. A. BEG : Present conditions will persist there.

RAI BAHADUR MR. JAGAT PERSHAD : You have made this assertion off hand. Please think first.

MR. M. A. BEG : We are not like you and do not keep a matter under consideration for years together. We think quickly (laughter).

RAI BAHADUR MR. JAGAT PERSHAD : The model of the British Constitution has been placed before you.

MR. M. A. BEG : I think you want to spend the time in talking the point.

RAI BAHADUR MR. JAGAT PERSHAD : No. Certainly not. I only meant to say that you should think a little. So far as Industries are concerned, you should yourself submit schemes. Four or five schemes are now under the consideration of the Director of Industries. He is preparing many more schemes. If you submit a scheme, which you are also prepared to run and that scheme is a sound one, it will certainly be taken in hand. You will then know how much help the Government will render. When the schemes of the Director of Industries are sanctioned, you will know whether the Government is or is not prepared to help the people. With these words I oppose the resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): I shall now put the question whether the closure shall be applied or not.

Mr. Sadiq says that the discussion should stop now. The closure can be applied only in case the House wishes it. If no one else wants to speak I shall seek the permission of the House to apply the closure.

LALA SHIV NATH NANDA: Sir, may I know which rule that is? Would you please read it?

MR. PRESIDENT (The Hon'ble Sir, Lal Gopal Mukerji Kt.): "At any time after the motion has been made, any member may move that the question be now put".

Those who want that closure be applied and votes be taken will please raise their hands.

NOTE.—Hands were raised.

PANDIT AMAR NATH KAK: If you permit me, I will take only two minutes. I have only to refer to page 377 of Volume 2nd proceedings of the 1st Session in which a promise was given by the Government that adequate funds will be provided in the Budget for the economical and industrial development of the country. So far no funds have been provided. The Accountant Genral has said that if any schemes are prepared by the Director of Industries or the people, funds will be provided If I get this assurance from the Leader of the House, I mean the Hon'ble Prime Minister, that the Director of Industries will be asked to prepare schemes as soon as practicable in the next year and schemes received from him or from private individuals will be considered during the next year and, if necessary, funds, adequate enough, for the schemes will be provided, I will be satisfied with this and withdraw the resolution, if assurance is given.

THE HON'BLE DEWAN BAHADUR N. GOPALASWAMI AYYANGER: As regards the object of this motion there is absolutely no difference between the Government and the Mover of this motion. He wants that active steps should be taken for putting into effective measures for the economic and industrial uplift of the State. On that point the Mover and the Government are entirely at one. The only assurance that he wants is that such steps will be taken. He points out that though a similar assurance was given some years ago in his view nothing has been done. Well, I do not admit that the Government had done nothing during the year which has elapsed, when assurance was given I am quite prepared to give him this assurance as I myself am very anxious about proposals for new industries for improving the economic condition of the people. Schemes will be prepared as quickly as possible and applications made to the Government for allotment of necessary funds. Members of the House know

that the Director of Industries was appointed only a few months ago and I can assure them that he is actively working now in drawing up these schemes which he will put before the Government for final decision. At the moment you know that he is engaged in conducting an economic survey of the cottage industries of the State and that he has put up a few proposals already. For the larger industries also he is now engaged in working out schemes. I can mention to you that the Government have already taken steps to order investigation of the possibilities of new industries. I know that there is a disappointment that the Budget does not contain any substantial monetary provision for helping or starting new industries. The only thing that I want to say is that according to correct Budget procedure no provision can be made except for sanctioned schemes. That, however, would not stand in the way of the necessary funds being provided in the course of the next year as soon as the schemes are sanctioned. I am prepared to give an assurance on behalf of myself and on behalf of my colleagues that no industry which offers possibilities of commercial success or possibilities of economic improvement in the State will suffer for lack of provision of funds in the course of the next year. Even if there is no provision in the Budget, the money will be found.

PANDIT AMAR NATH KAK: I am satisfied with the assurance and permission may be granted to withdraw the resolution.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): In view of the assurance of the Hon'ble Prime Minister that all possible efforts will be made for the promotion of industry, Mr. Kak wants to withdraw his resolution.

LALA HANS RAJ: He has undoubtedly given a definite assurance. I thank him.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Those who are in favour of the resolution being withdrawn will please raise their hands.

NOTE.—Hands were raised and permission to withdraw the resolution given by a majority of votes.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Now Resolution No. 1 regarding Irrigation of Mr. M. A Beg: "This Praja Sabha recommends to the Council that a cut of Re. 1 be made in the Irrigation Grant to enable the House to discuss the deficiency of means of Irrigation in the Anantnag Tehsil".

MR. M. A. BEG: Sir, I do not wish to move resolution No. 1 standing in my name since it is of the same nature as that of Mian Ahmed Yar.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): Addressing Mian Ahmed Yar, Now comes resolution No. 2 of

Mian Ahmed Yar.

NOTE.—The resolution is as follows.

"This Praja Sabha recommends to the Council that a cut of Re. 1 be made in the Irrigation Grant in the Budget ; to enable the House to discuss the defective system of irrigation in the State".

MIAN AHMED YAR : Sir, notice has been given for the discussion of this resolution so that we in the House may get an opportunity of discussing all the defects of the Irrigation Department here. I will not take much time. I would like to suggest the changes that should be brought about in this Department. I would submit that means of extending irrigation facilities and of opening canals in the Muzaffarabad, Mirpur and Handawara Districts can be adopted. That will remove all the troubles of the zamindars. The adoption of these means will not cost much. With these words I move my cut motion that a token cut of rupee one be made in the grant for irrigation Department so that the defects in the Irrigation Department be discussed.

MIRZA M. A. BEG : Sir, I have presented my cut motion and would like to submit briefly as under. The present age is an age of progress. The attitude the Government has adopted towards zamindars is quite unjustified. The zamindars form the backbone of the State. I am afraid this negligence may lead to the decay and consequent destruction of this backbone. The result will then be very bad for the Government. In the Anantnag Tehsil, facilities for an extension of means of irrigation are available. If the Government pays a little attention the people of the State will be able to lead a contented life. I wrote many times to the Hon'ble Revenue Minister that such means are available at Kokar Nagh and Drangi. No one paid any attention. The present Kuhl is also out of repairs. Our country abounds in natural facilities for and means of irrigation. Streams are to be found here in large numbers. It is a misfortune for us that these streams should be declared reserved for breeding of trout fish, fish are kept in these streams The means of irrigation which nature had provided are thus heartlessly closed. The lands of zamindars which were previously irrigated by the water are getting from bad to worse now. The Government should condemn such a policy. I therefore support this resolution.

PANDIT JIA LAL KILAM : Sir, I would like to invite your attention to the fact that in Kashmir too tracts are to be found which can be irrigated. Crops can be grown there. People can live there. The prosperity of the country can increase. If this were done, the people of the State would really get some relief. But.....

Hon'ble Prime Minister has said in reply to a question that no provision was made in the budget for this purpose, because there was no scheme before the Government. My humble submission is that why any irrigation scheme was not formulated this year or in the years past.

KHAWAJA GHULAM MOHAMMED SADIQ : Somebody has again crossed the floor Sir.

PANDIT JIA LAL KILAM : I would make a request to all the members of the Government that they may kindly study the histroy of this place, read the accounts given by those people who come from outside and see what they have written about this country. My submission is that only three or four hundred years back, *i. e.* the produce of land now-a-days is not half of that what it used to be three hundred years ago. I can quote authentic history in this connection. I will not quote other histories but will mention only "Ay'yeen-i-Akbari" which contains reliable history of the time and you will be pleased to see that the average produce of land in Kashmir so far as *Shali* was concerned was 60 lacs of *kharwars* but now-a-days it is only 40 lacs. Five hundred years ago in the reign of Zainul Abideen it was 77 lacs and now it has gone down to 40 lacs. Therefore the inference is obvious that now-a-days large tracts of the land remain unirrigated and consequently the produce of the soil has gone down.

Secondly I would submit that a law has been made here which provided that such of the zamindars who are desirous of effecting some improvement in their land will be given loans by the Government and for that the Government will make rules and formulate schemes. My humble submission is that why no scheme was put before the Government so that this object would have been achieved. The other day I read in a newspaper issued from the Province from which the Hon'ble Prime Minister comes that with a view to improving agriculture, laws have been made in Kashmir to the effect that money will be made available to the zamindars who are willing to effect improvements in their lands. But here where is the scheme which has been submitted to the Government and where is the money we are asking for ? How long will it go on showing us White Elephants ? I would again request the Government that they should study the history of this place, see what tourists have written about this country, profit themselves by the experience and observations of the visitors. You are not going to show us miracles. Of course miracles could be possible in the past and not now-a-days. Therefore my humble suhmission is that extensive schemes of irrigation ought to have been launched. If it has not been done so far it should be done now. I have no hesitation in saying and I agree with

Mr. Beg that the condition would not be only such as will go from bad to worse but also will lead to very bad consequences.

SARDAR HARI SINGH : Sir, from Mian Ahmed Yar's cut motion it is clear that he has moved this cut motion to protest against the defective system of irrigation in the entire Department. The resolution is worded as follows (Reads the resolution).
But in his speech he has not talked of the State of affairs in the entire State. Only Kashmir figured in the discussion. Moreover the first resolution had been moved by Messrs Beg and Malik. They have withdrawn in favour of the resolution of Mian Ahmed Yar. The irrigation in Anantnag Tehsil was mentioned. I may therefore be allowed to talk of Jammu Province.

If we take the State as a whole, it will be found that most of the irrigated area of the State lies in Kashmir. The least is to be found in Jammu Province. Last time also I made a mention of this fact. In the Jammu Province at places only 2 per cent. of the inhabited areas are irrigated and at others 3 per cent. Mostly in the plain tracts it is 5 per cent. or 7 per cent. As against this in the Kashmir Province 15 per cent. to 20 per cent. of the inhabited area is irrigated. This proves that there is more irrigation in Kashmir as against Jammu Province. I should not be misunderstood to say that means of irrigation should not be extended in Kashmir Province.

I only submit that Jammu Province should not be ignored in this connection. In the Reasi and Bhimber tracts there are many streams. If a slight expenditure is incurred on them they can irrigate many adjoining tracts. I would submit that at places there is no water at all. Even a small expenditure can help in irrigating many tracts. Water can be supplied for drinking purposes too. With these words I support this resolution.

I would again submit that if this resolution is given a practical shape some money should be spent in removing the inconvenience of the people of Jammu also. There is a great necessity for irrigation facilities and for water for drinking purposes.

LALA SHIV NATH NANDA: Sir, my friend, Mian Ahmed Yar Khan has moved his resolution. I was not moved then. But one word from Mr. Beg has given me the courage to oppose this resolution. He said that he had always been saying in this House that the zamindar is the backbone of the Government and if it suffers, the Government will also suffer. I do not agree with this.

I would request my learned friend not to harp for ever on the same string and keep on saying that the zamindar is the backbone of the Government. This is a wrong impression. The time for saying such things has passed away. It is all fiction now.

MAJOR MIRZA ATTA MOHAMMED KHAN: Wherefrom did you get your money ?

LALA SHIV NATH NANDA: You have got the budget with you now. You can yourself examine it. You can see for yourself how much revenue this so called backbone yields to the State. My friend should bear in mind that they do not pay to the State as much as they believe they do. Let them examine the customs item and see how we fill the coffers of the State. The machinery of the State works because of non-zamindars and traders.

HAJI AHAMADULLAH SHAHDAD: Such income is not permanent. It is temporary.

LALA SHIV NATH NANDA: Sir, from the Budget it is clear that in the year 1995, considerable provision has been made for aid of zamindars. Out of which some amount has also been earmarked for irrigation. Can the Government name one item in the entire budget which may have been reserved for the benefit of *Sahukars* Only. I would submit for the information of the House that the Government has not specified a pie even for *Sahukars* and non-agriculturists. You can now easily understand that the zamindar is the back-bone of the Government. I should like to know who pays all the taxes and from out of whose pockets all that money comes? Who pays the road toll? The income amounting to lacs of rupees which Srinagar yields is all paid by the *Sahukars* and businessmen. In spite of this if a resolution is moved in this House on our behalf the Government opposes it. On the other hand it welcomes resolutions of any nature which are moved on behalf of the zamindars. Those resolutions may have been moved in the interests of the zamindars or only for political purposes.

Sardar Kanhaya Singh is sitting near me. He counts himself among zamindars and works as a *Sahukar* and contractor too.

MIAN AHMED YAR: He is not a *Sahukar.*

LALA SHIV NATH NANDA: You say that we are not zamindars, perhaps because according to your view point a *Sahukar* cannot become a zamindar. So we can also not be counted among zamindars. I have only a short time now at my disposal. I will therefore speak in detail some other time and talk of the treatment which you extend to us.

MIAN AHMED YAR: Don't worry about time. You will be given more time.

LALA SHIV NATH NANDA: Since you do not include us in your ranks the result is that we also consider it proper to think of you as outsiders. Almost all the members of this House are zamindars. Are the Hon'ble Finance Minister, Major General Janaksinghji, Wazir Sahib and Governor Sahib not zamindars? Of course all of you except Lala Amar Nath Kohli and myself are agriculturists. It is therefore that threats are always made use of in the Praja Sabha. Let the zamindars undoubtedly assert that he

is the backbone of the State. But let him not think that his threats will make the present Government go under. If he thinks so, he is wrong. I would like to say that the task of a people's uplift can never be performed singly by one man or community, if they desire that uplift. To clap you stand in need of both of your hands. One hand alone would not produce the sound. If you win our confidence, we can also join hands with you in trying to remove the grievances of the people. If you stand alone and as zamindars only and then assert that you will crush the Government that will not happen. The Government can in that case never by intimidated, nor can you ever achieve real success.

This resolution is undoubtedly justified. But it is sheer selfishness to say that arrangements should be made first of all for canals in Kashmir, and those tracts should be neglected where facilities for procuring water are limited and people are sustained by the hope of rains alone. The Government should first of all pay its attention to the Kandi *Illaqa*, next can be taken up areas round about Srinagar where there may be a deficiency of water.

Sardar Hari Singh has stated that the Government pays no attention to Jammu. It was stated in reply to a question that fourteen thousand rupees have been allotted for the construction of a tank in Jammu.

Sir, it is true that this sum was sanctioned for making drinking water available. But so far as irrigation is concerned no particular sum has been allotted. Only last year rupees twenty thousand were sanctioned for making drinking water available in the *Kandi Illaqa*. As far as possible it is necessary to sanction funds for tracts in which there is a deficiency of water. Only then can people live there and crops can grow. It will remove the starvation of these people.

It is a matter of surprise that water should be asked for in Kashmir. There is an excess of water here. Kashmir is, in fact, famous because of its water. If it rains persistently for four days here you get floods. The Government is then requested to remit revenue and to help the zamindars who say that their crops have been spoiled and damaged.

MIRZA M. A. BEG: We ask for water for the entire State.

LALA SHIV NATH NANDA: Yes, that is clear enough from your resolution. It shows how far it touches Kashmir. (Laughter) Only so far I oppose this resolution. But so far as the question of irrigation in Jammu Province is concerned funds should be made available. The complaints of the people should be redressed. Since it is four o'clock now and there is no more time at my disposal, I close my speech.

MIAN AHMED YAR: Sir, it is four o'clock now. I have already stated that we are prepared to sit here upto ten o'clock in

the night. We should have only one hour's interval for dinner. Now-a-days assemblies work overtime in India. I read only yesterday that the Madras Assembly rose at ten o'clock in the night.

MR. PRESIDENT (The Hon'ble Sir Lal Gopal Mukerji Kt.): My health does not permit that.

MR. GHULAM MOHAMMED SADIQ: This Government does not permit that.

The House then adjourned till Monday the 11th October 1937.

THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME VII.

9TH DAY

(11th October 1937)

BUDGET DETAILED GROUP II

SEVENTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



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JAMMU AND KASHMIR PRAJA SABHA.

Monday, the 11th October 1937.
26th Assuj 1994.

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces, Srinagar at Eleven of the Clock.

Mr. President (The Hon'ble Sir Lal Gopal Mukerji Kt.) in the Chair.

QUESTIONS AND ANSWERS.

505. PANDIT AMAR NATH KAK : Will Hon'ble the Revenue Minister be pleased to state :—(*a*) Whether consolidation of agricultural holdings has been taken up ?

(*b*) If so, in what Tehsils ?

(*c*) How many holdings have been consolidated during the last five years ? Progress in each year may kindly be given separately.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH : (*a*) Yes.

(*b*) In Kashmir Province in Srinagar Khas, Sri Pratapsinghpura and Awantipura and in Jammu Province in Jammu, Samba and Sri Ranbirsinghpura.

(*c*) *Kashmir Province. Figures for the last five years.*

Year.	No. of Societies registered.	Tehsil.	Area consolidated.	No. of fields before consolidation.	No. of fields after consolidation.
1988-89 ...	2	Pratapsinghpura	4,968	1,645	120
	3	Awantipura ...	10,340	3,489	228
1989-90 ...	5	Pratapsinghpura	3,540	1,041	216
	6	Awantipura ...	12,893	3,255	508
1990-91 ...	3	Awantipura ...	12,799	3,361	430
1991-92 ...	3	Awantipura ...	3,145	952	133
	2	Khas ...	7,148	2,077	562
1992-93 ...	1	Pratapsinghpura	1,918	362	105
	1	Awantipura ...	2,185	597	79
Total ...	22		58,936	16,779	2,381

Jammu Province. Figures for the last five years, District Jammu.

Year.	No. of villages in which consolidation done.	Area brought under consolidation.
1988-89 ...	8	11,615
1989-90 ...	8	13,931
1990-91 ...	7	16,576
1991-92 ...	2	14,382
1992-93 ...	8	12,309
Total ...	33	73,313

RAI BAHADUR PANDIT AMAR NATH PURBI (Official Member): Will it please be stated whether fragmentation is being tried to be stopped alongwith the consolidation? If so, what efforts have been made and where? If not, will this system continue for ever?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH: This is a new question.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: If you permit me, Sir, I can give reply to this question. Unless you change the law of inheritance, fragmentation cannot be stopped in the State.

RAI BAHADUR PANDIT AMAR NATH PURBI: Whose function is it?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN: The question of changing law of inheritance can be put up and also discussed in the Assembly and if it is considered favourably it will be changed, otherwise not.

506. PANDIT AMAR NATH KAK: Will Hon'ble the Revenue Minister be pleased to state:—(*i*) What steps are being taken under the Rural Reconstruction Scheme, except that of establishing Panchayat, to ameliorate the condition of the peasant?

(*ii*) In what Tehsils the Rural Reconstruction Work has been started?

(*iii*) The names of villages may kindly be given where the work has been started with details and progress under each Head during 1993-94 in comparison with the preceding year.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN (On behalf

of the Hon'ble Revenue Minister) : (*i*) Improvement of water supply in the Kandi Illaqa of Jammu.

Development of the activity of the Agricultural and Veterinary Departments.

Encouragement of subsidiary industries. Provision in the Budget of funds to assist in improvement schemes desired by particular villages.

(*ii*) Work so far has been started in Mirpur, Bhimber, Kotli and Ranbirsinghpura Tehsils of Jammu Province.

(*iii*) The enclosed statements may please be perused.

PANDIT RAM CHANDRA DOBEY : When will this work be taken in hand in other districts ?

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : It will be taken up gradually. You know that this department is yet in its infancy. As it will develop, the work in other districts will automatically be started.

PANDIT RAM CHANDRA DOBEY : Has the Government chalked out any such programme which may show that in which year such and such Tehsil will be taken in hand.

KHAN BAHADUR RAJA MOHAMMED AFZAL KHAN : It requires notice.

Statement showing names of villages where the work of ***Rural Reconstruction has been started.***

Serial No.	Names of villages.	Tehsil.	District.	Detail of the work done.
1	1. Chuhala ...	Ranbirsinghpura.	Jammu ...	158 manure heaps removed from villages. Fifty manure pits dug. Fifteen ventilators installed. 1,560 feet of road area made passable.
	2. Dublehr ...			
	3. Biaspur ...			
	4. Parlah ...			
	5. Rangpura Sayyedan ...			
	6. Kotli Arayan ...			
	7. Tarapur Dangre ...			
2	1. Akalgarh ...	Mirpur	... Mirpur ...	247 manure heaps removed and 8 pits dug. People have been trained by the R. R. Department, to keep their streets clean and neat.
	2. Kotla Dattan ...			
	3. Biddar and Bains ...			
	4, Chak Mughlani ...			
	5. Chak Qazi ...			
	6. Chak Sardari ...			
	7. Mehmunpur ...			
	8. Ghantpur ...			
	9. Jangian and Kotla ...			
3	1. Ganderbal ...	Khas Srinagar	... Anantnag ...	600 manure pits dug in a year.
4	Baramulla ...	Baramulla	... Baramulla ...	79 pits only.

KASHMIR PROVINCE.

Statement showing the names of the Panchayats and their jurisdiction.

Serial No.	Name of Panchayat.	Jurisdiction.	Tehsil.	District.
1	Ganderbal ...	1. Ganderbal ... 2. Gangerhama ... 3. Slura ... 4. Tulmula ... 5. Wahidpura ... 6. Behama ... 7. Duderhama ... 8. Fatehpura ...	Srinagar Khas ...	Anantnag.
2	Shalamar ...	1. Banigam ... 2. Harwan ... 3. Bagh Chandpura ... 4. Chandpura ... 4. Shalamar ... 6. Paizwalpura ...	" " ... "	
		1. Devpura ... 2. Dardpura ...		

KASHMIR PROVINCE—(*continued*).

Statement showing the names of the Panchayats and their jurisdiction—(continued).

Serial No.	Name of Panchayat.	Jurisdiction.		Tehsil.	District.
		3. Wanigam	...		
		4. Chandil	...		
		5. Darhama	...		
		6. Kulhama	...		
		7. Zimarhama	...		
		8. Badra Kot	...		
3	Devpura Dardpura ...	9. Gugal Dara	...	Gulmarg ...	Baramulla.
		10. Dadkoshi	...		
		11. Ogmana	...		
		12. Banagam	...		
		13. Gonipura	...		
		14. Airam	...		
		15. Chandabug Narikhar	...		
		16. Haripura	...		
		1. Nishat	...		
		2. Lam	...		
4	Nishat ...	3. Braine	..	Srinagar Khas ...	Anantnag.
		4. Guft Ganga	...		

5	Ferozpura	...	1. Ferozpura ...	Gulmarg	...	Baramulla.
			2. Treram ...			
			3. Chana Pura ...			
			4. Chandipura ...			
			5. Wahipura ...			
			6. Badipura ...			
			7. Katapura ...			
			8. Slanda ...			
6	Gojra	...	1. Gojra ...	Muzaffarabad	...	Muzaffarabad.
			2. Dralnaka ...			
			3. Balakbanna ...			
			4. Moharie ...			
			5. Marbad ...			
7	Miani Bandi	...	1. Miani Bandi ...	,,		,,
			2. Hassan Ser ...			
			3. Bagh Nasab Karola ...			
			4. Nang Umar Khan ...			
			5. Bandi Karim Haidar Shah.			
			6. Karola ...			
			7. Jagla ...			
			8. Khet Karim Haibar Shah			
8	Khilla	...	1. Khilla ...	,,		,,
			2. Banda ..			
			3. Botha ...			
			4. Ranjata ...			
			5. Rampur ...			

Serial No.	Name of Panchayat.	Jurisdiction.	Tehsil.	District.
9	Nalochi ...	1. Nalochi ... 2. Khamdarang ...	Muzaffarabad ...	Muzaffarabad.
10	Jhela ...	1. Jhela ... 2. Belapur Shah ... 3. Parjgran 4. Bandi Mir Hamdani ... 5. Shervan ... 6. Bandi Samani ... 7. Hadoora ...	" ...	"
11	Garhi ...	1. Tandali ... 2. Karoli ... 3. Garhi ... 4. Kaloch ... 5. Khanna Bandi ... 6. Bhoi ... 7. Badyara ...	" ...	"

12	Shiwai	...	1. Thangar ...	Muzaffarabad	...	Muzaffarabad.	
			2. Karnah ...				
			3. Shiwai ...				
			4. Lamian Patian ...				
			5. Dhong ...				
			6. Hassan Galian ...				
			7. Kot ...				
			8. Sarian ...				
13	Ram Kot	...	1. Ram Kot ...	,,	..	,,	
			2. Shoran ...				
			3. Durra ...				
14	Ambor	...	Ambor ...	,,	...	,,	
15	Bandipura	...	1. Bandipura ...	Uttarmachipura.		Baramulla.	
			2. Ajar ...				
			3. Dachigam ...				
			4. Nusoo ...				
			5. Nawpura ...				
			6. Kharapura ...				
			7. Madar ...				
			8. Papchan ...				
16	Fatehpura Uvelma	...	1. Fatehpura Uvelma ...	Baramulla	...	,,	
			2. Khawaji Bagh ...				
			3. Faristahar ...				
17	Oshkra	...	1. Oshkra ...	,,	...	,,	
			2. Ganta Bagh ...				
			3. Gotiar ...				

Statement showing the names of the Panchayats and their jurisdiction— (continued).

Serial No.	Name of Panchayat.	Jurisdiction.	Tehsil.	District.
18	Dilna	1. Dilna ... 2. Khari Chari Gund ... 3. Jhama ...	Baramulla	Baramulla.
19	Namla	1. Namla ... 2. Garkot ... 3. Sadapura ... 4. Silykot ... 5. Balkot ... 6. Shib Langa ... 7. Spora ...	Uri	Muzaffarabad.
20	Chinari	1. Chinari ... 2. Indra Serikhurd ... 3. Banian ... 4. Motian ... 5. Amaraswan ...	,,	,,

21	Chakotti	...	1. Chakotti ...	} Uri	...	Muzaffarabad.
			2. Lohra ...			
			3. Khagran ...			
22	Bonyar	...	1. Bonyar ...	} "	...	"
			2. Chel ...			
			3. Batangi ...			
			4. Hular Paristan ...			
			5. Bela Islamabad ...			
			6. Breint ...			
23	Tarkanjan	...	1. Tarkanjan ...	} "	...	"
			2. Nihali ...			
			3. Layarayal ...			
			4. Pran Kutrna ...			
			5. Lichi ...			
			6. Baran ...			
			7. Salahan ...			
			8. Medas ...			
			9. Darkochi ...			
24	Drugmulla	...	1. Drugmulla ...	} Handwara	...	Baramulla.
			2. Bamhama ...			
			3. Shadipura ...			
			4. Shat Muqam ...			
			5. Anderhama ...			
			6. Bremri ...			
			7. Vatarkhani ...			
			8. Kegum ...			

Statement showing the names of the Panchayats and their jurisdiction—(continued).

Serial No.	Name of Panchayat.	Jurisdiction.		Tehsil.	District.
25	Soibug	...	1. Soibug ... 2. Kamahoopura ... 3. Pemas ... 4. Dara Sangam ... 5. Kadipura ... 6. Darapura ... 7. Hakar Mulla ... 8. Haripura ...	Badgam ...	Baramulla.
26	Dharmana	...	1. Dharmana ... 2. Gotapura ... 3. Arat ...	„ ...	„
			1. Wadwan ... 2. Chata Bug ... 3. Alaipura ... 4. Sufipura ...		

27	Wadwan	...	5. Shahpura ...	Badgam	...	Baramulla.	
			6. Nadi Gam ...				
			7. Chak Wazir Punu ...				
			8. Watalpura ...				
			9. Bandpura ...				
			10. Shopri Bagh ...				
			11. Chohu ...				
28	Sanorah Kalipura	...	1. Sanorah Kalipura ...	,,	...	,,	
			2. Cheera Har ...				
			3. Razawan ...				
			4. Hardowainu ...				
			5. Kanthag ...				
			6. Chak Dewan Badri Nath Sahib ...				
			7. Shabpura ...				
			8. Mohar Chak ...				
29	Shogapura	...	1. Shogapura ...	,,	...		
			2. Zaz Bug ..				
			3. Dalwan ...				
			4. Hayatpura ...				
			5. Kishtwar ...				
			6. Sondipura ...				
			7. Jawalapura ...				
			8. Gojra ...				
			9. Bandi Pag ...				
			10. Hai Wadar ...				
			11. Pat Waw ...				

KASHMIR PROVINCE—(*continued*).

Statement showing the names of the Panchayats and their jurisdiction—(continued).

Serial No.	Name of Panchayat.	Jurisdiction.	Tehsil.	District.
30	Watre Hel	1. Watre Hel ...	Badgam	Baramulla.
		2. Hardoweel ...		
		3. Bugchal ...		
		4. Bareil ...		
		5. Gund Ali Nayak ...		
		6. Kharapura ...		
		7. Odru ...		
		8. Mola Narwa ...		
		9. Naro ...		
		10. Shahnipura ...		
		11. Kanora ...		
		12. Rawalpura Berwa ...		
		13. Fejapura ...		
		14. Gotipura ...		
		15. Dabipura ...		
		16. Batapura ...		
		17. Talapura ...		

		18.	Kharipura	...				
		19.	Sheik Waripura	...				
31	Ichha Hama	...	1.	Ichha Hama	...	Badgam	...	Baramulla.
		1.	Hamchipura	...				
		2.	Trafay	...				
		3.	Path Sharan	...				
		4.	Bawahipura	...				
32	Hamchipura	...	5.	Lolipura	...	,,	...	,,
		6.	Dalwach Khurd	...				
		7.	Fashgar	...				
		8.	Nag Bal	...				
		9.	Lokipura	...				
		10.	Alam Nag	...				
		1.	Sikandarpura	...				
33	Sikandarpura	...	2.	Nusoo	...	,,	...	,,
		3.	Kalipura	...				
		4.	Malapura	...				
34	Hardo Abura	...	1.	Hardo Abura	...	Baramulla	...	,,
		1.	Ugmana	...				
		2.	Gonipura	...				
		3.	Bona Gam	...				
05	Ugmana	...	4.	Khech Matipura	...	,,	...	,,
		5.	Ratnipura Pain	...				
		6.	Kharapura	...				
		7.	Haripura	...				

KASHMIR PROVINCE—(*continued*).

Statement showing the names of the Panchayats and their jurisdiction—(continued).

Serial No.	Name of Panchayat.	Jurisdiction.		Tehsil.	District.
36	Kar Hama ...	1. Kar Hama ...		Baramuila ...	Baramulla.
		2. Chak Wazir Punu ...			
		3. Hing ...			
		4. Mangala ...			
37	Hardo Shora ...	1. Hardo Shora ...		"	"
		2. Kral Wath ...			
		3. Rawanpura ...			
		4. Chak Chait Ram ...			
		5. Atipur Zehkar ...			
		6. Biyawa ...			
		7. Meripura ...			
		3. Sotlipura ...			
		9. Bachipura ...			
		10. Kothipura ...			
		11. Hayatpura ...			
38	Usan Bangal ...	1. Usan Bangal ...		"	"

39	Hari Utnu	...	1. Hari Utnu ...	Baramulla	...	Baramulla.	
			9. Ratnipura Bala ...				
			3. Chak Mirza Jamadar ...				
			4. Bandipura ...				
			5. Towakalpura ...				
			6. Marchipura ...				
			7. Panditpura Bala ...				
40	Hardo Mahdum	...	1. Hardo Mahdum ...	"	...	"	
			2. Bodipura ...				
			3. Ziran ...				
			4. Warpura ...				
			5. Batoo ...				
41	Deo Bug	...	1. Doroo ...	"	...	"	
			2. Gund Maksood ...				
			3. Khanchopura ...				
			4. Hardo Bani ...				
			5. Malapura ...				
42	Singhpura Kalan	...	1. Singhpura Kalan ...	"	...	"	
43	Water Gam	...	1. Water Gam (Khalsa and Jagir) ...	Handwara	...	"	
			2. Beera Gund ...				
			3. Gund Asad Shah ...				
			4. Gund Mulraj ...				
			5. Bherampura ...				
			6. Dursoo ...				
			7. Gund Karim Khan ...				

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Statement showing the names of the Panchayats and their jurisdiction—(continued).

Serial No.	Name of Panchayat.	Jurisdiction.	Tehsil.	District.
44	Hadipura	1. Chatpura (Jagir and Khalsa). 2. Hadipur ...	Handwara	Baramulla.
45	Chrati Gund	1. Chrati Gund ... 2. Shankar Gund ... 3. Gund Foola Singh ... 4. Badra Bala ...	,,	,,
46	Watlab	1. Watlab ... 2. Botongoo ... 3. Mangarpura ... 4. Malchanpura ... 5. Muqami Shahid Mir ...	,,	,,
47	Wadipura	1. Wadipura ... 2. Badra Kul ... 3. Bahadurpura ... 4. Khirman Tilk Chand 5. Turukpura ...	,,	,,

			6.	Lachipura	...			
			7.	Baki Hakar	...			
			8.	Gori Hakar	...			
48	Marhit Gam	...	1.	Merhit Gam	...	Handwara	...	Baramulla.
			2.	Chotipura	...			
			3.	Khar Gam	...			
49	Yaroo	...	1.	Yaroo	...	"	...	"
			2.	Odipura	...			
			3.	Batpura	...			
			4.	Gundpura	...			
			5.	Lal Beg	...			
			6.	Pain Yaroo	...			
50	Seloo	...	1.	Selo	...	"	...	"
			2.	Goripura	...			
			3.	Gund Brat	...			
51	Langet	...	1.	Langet	...	Baramulla	...	"
			2.	Talwari	...			
			3.	Hing	...			
			4.	Char Gund Pain	...			
			5.	Over Gund	...			
52	Hardo Shew	...	1.	Hardo Shew	...	Handwara	...	"
			2.	Kharmani Rishian	...			
			3.	Simpura	...			
			4.	Doru	...			
			5.	Mundchi	...			

KASHMIR PROVINCE—(*continued*).

Statement showing the names of the Panchayats and their jurisdiction—(continued).

Serial No.	Name of Panchayat.	Jurisdiction.		Tehsil.	District.
53	Gathipura	...	1. Gathipura ... 2. Wadipura ... 3. Karam War ...	Handwara ...	Baramulla.
54	Singhpura	...	1. Singhpura ...	,, ...	,,
55	Qazi Gund	...	1. Kuri Gam ... 2. Wonpura ... 3. Sui Mula ... 4. Kewa ... 5. Shampura Shansu ... 6. Qazi Gund ...	Kulgam ...	Anantnag.
56	Brinlamar	...	1. Khar Gund ... 2. Brinlamar ...	,, ...	,,
57	Vesu	...	1. Vesu ... 2. Sodar ... 3. Irot Damgam ... 4. Chaddan Paygam ...	,, ...	,,

		5. Chaugam Deosar ...					
		6. Hanjpura ...					
		7. Manigam ...					
58	Khruvan Chadar	...	1. Khruvan Chadar ...	Kulgam	...	Anantnag.	
59	Kujar	...	1. Kujar ...	,,	...	,,	
			2. Brazloo ...				
			3. Nambul ...				
60	Kanipura	...	1. Kanipura ...	,,	...	,,	
			2. Sangas Kehrot ...				
			3. Laroo ...				
61	Vachi	...	1. Vachi ...	,,	...	,,	
			2. Meman Danjipura ...				
			3. Rakh Danjipura ...				
			4. Malpura ...				
62	Sandoo Kalpura	...	1. Sandoo Kalpura ...	,,	...	,,	
63	Parigam Chak	...	1. Parigam Chak ...	,,	...	,,	
			2. Kharbrari ...				
			3. Balsoo ...				
64	Dannow	...	1. Dannow ...	,,	...	,,	
			2. Bogand ...				
			3. Wazirpur ...				
			4. Super ...				
			5. Naubug ...				

Statement showing the names of the Panchayats and their jurisdiction—(concluded).

Serial No.	Name of Panchayat.	Jurisdiction.	Tehsil.	District.
65	Bugam	... { 1. Bugam ... 2. Ram Garh ... }	Kulgam	... Anantnag.
66	Katarusu	... { 1. Katarusu ... 2. Shalipura ... 3. Matipura ... }	,,	... ,,
67	Kilam Buzgam	... 1. Kilam Buzgam ...	,,	... ,,
68	Redwani	... 1. Redwani ...	,,	... ,,
69	Khudwani	.. 1. Khudwani ...	,,	... ,,
70	Yaripura	... 1. Yaripura ...	,,	... ,,
71	Kaimoo	... 1. Kaimoo ...	,,	... ,,

72	Arvani	...	1. Arvani ...	Kulgam	...	Anantnag.
			2. Soni Gam ...			
			3. Chhanpura ...			
			4. Nawpura ...			
			5. Kharpura ...			
73	Damahal Hanjipura	...	1. Damahal Hanjipura ...	,,	...	,,
74	Kadir	...	1. Kadir ...	,,	...	,,
			2. Hablishi ...			
			3. Malipura ...			

JAMMU PROVINCE.

***Statement showing** the names of the Panchayats and their jurisdiction.*

Serial No.	Name of Panchayat.	Jurisdiction.		Tehsil.
1	Dhanna	...	1. Dhanna ...	Kotli.
2	Khui Ratta	...	1. Khui Ratta ... 2. Khor ... 3. Fatehpur Dehari ... 4. Gora Balyal ... 5. Dhota ... 6. Majwal ... 7. Pehal ... 8. Samlahr ... 9. Batal Barhi ... 10. Korjahi ... 11. Kotla ... 12. Bandli Jagir ... 13. Sahore ...	,,
3	Phagwari	...	1. Phagwari ...	,,

4	Tandar	...	1. Tandar	...	Kotli.
			2. Poona	...	
			3. Bandli	...	
			4. Bran	...	
			5. Bahmla Ganwara	...	
5	Hill	...	1. Hill	...	Mirpur.
			2. Khari	...	
			3. Unkar	...	
			4. Chatroh	...	
			5. Kheri	...	
			6. Sarthala	...	
		...	7. Bal	...	
			8. Ghalk Bhoopa	...	
			9. Chak Sharaf Shah	...	
			10. Ganchor	...	
6	Pel	...	1. Pel	...	,,
			2. Syakh	...	
			3. Peth	...	
			4. Chak Pathana	...	
			5. Mohra Agru	...	
7	Sahng	...	1. Sahng	...	,,
			2. Banni		
			3. Datyal	...	
			4. Nagyal	...	
			5. Harchayal	...	

Statement showing the names of the Panchayats and their jurisdiction—(continued).

Serial No.	Name of Panchayat.	Jurisdiction.		Tehsil.
8	Chana	1. Chana	...	Mirpur.
		2. Butahar	...	
		3. Bheli	...	
9	Potha Sher	1. Potha Sher	...	”
		2. Potha Bungish	...	
10	Kotla Dattan	1. Kotla Dattan	...	”
		2. Jagian	...	
		3. Ghasitpur Sonal	...	
		4. Mehmunpur		
		5. Munda	...	
		6. Algar		
		7. Gura	...	
		8. Gandeh	...	
		9. Qazi Chak	...	
		10. Badar	...	
		11. Chak Mughlani	...	